Narrative Information Sheet

Letter from State Environmental Authority

Former Tombarello Site

207 Marston Street, Lot 2, Lawrence, Massachusetts

MassDEP Release Tracking Number (RTN) 3-0018126

CITY OF LAWRENCE
OFFICE OF THE MAYOR

City Hall • 200 Common Street • Lawrence, MA 01840
Tel: (978) 620-3010 • www.cityoflawrence.com

DANIEL RIVERA
MAYOR & CEO

Narrative Information Sheet

1. Applicant Identification:
   City of Lawrence
   Office of Planning & Development
   12 Methuen Street.
   Lawrence MA 01840

2. Funding Requested:
   a. Grant type: Cleanup
   b. Federal Funds Requested:
      i. $500,000
      ii. Cost Share Waiver not requested
   c. Contamination: Hazardous Substances

3. Location: City of Lawrence, Essex County, MA

4. Property Information: Tombarello Site Lot #2, 207 Marston St., Lawrence, MA 01841

5. Contacts:
   i. Project Director:
   Name: Theresa Park, Planning Director
   Telephone: 978-620-3501
   E-mail: tpark@cityoflawrence.com
   Mailing Address: City of Lawrence Office of Planning and Development, 12 Methuen Street, Lawrence, MA 01840

   ii. Chief Executive/Highest Ranking Elected Official:
   Name: The Honorable Mayor Daniel Rivera
   Telephone: 978-620-3010
   E-mail: MayorRivera@cityoflawrence.com
   Mailing Address: Office of the Mayor, City Hall, 200 Common St., Third Floor, Lawrence, MA 01840

6. Population:
   - Population of Lawrence, MA: 79,497 according to the 2013-2017 American Community Survey 5-year estimates

7. Other Factors Checklist:
   - The proposed site is in a federally designated flood plain page 3
   - The reuse of the cleanup site will incorporate energy efficiency measures page 3

8. Letter from the State or Tribal Environmental Authority: MassDEP letter included

MassDEP
Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
One Winter Street Boston, MA 02108 • 617-292-5500

Charles D. Baker
Governor

Karyn E. Polito
Lieutenant Governor

Kathleen A. Theoharides
Secretary

Martin Suuberg
Commissioner

November 18, 2019

U.S. EPA New England
Attn: Frank Gardner
5 Post Office Square, Suite 100
Boston, MA 02109-3912

RE: **STATE LETTER OF ACKNOWLEDGMENT**
Brownfield Cleanup Grant Funding*, *207 Marston Street, Lawrence, Massachusetts

Dear Mr. Gardner:

I am writing to support the proposal submitted by the City of Lawrence (City) under the Fiscal Year 2020 U.S. Environmental Protection Agency (EPA) Brownfield Cleanup Grant Program. Funding from the EPA will allow the City to complete cleanup activities at this abandoned scrap metal facility located at 207 Marston Street in Lawrence, Massachusetts. Documented contamination at the property is being tracked with MassDEP under Release Tracking Number 3-0018126. The City anticipates redeveloping the property into commercial/light industrial use with potential retail usage along street frontage.

On January 23, 2015, Governor Baker signed his first Executive Order, creating the Community Compact Cabinet, in order to elevate the Administration's partnerships with cities and towns across the Commonwealth. Lieutenant Governor Polito chairs the cabinet, which concentrates financial, technical, and other resources at the state level to a select group of projects, including Brownfields. The City's compact was signed on September 23, 2015, ensuring any funding provided by EPA will be supported by a focused commitment of state resources.

We greatly appreciate EPA's continued support of Brownfield efforts here in Massachusetts.

Sincerely,

Paul Locke
Assistant Commissioner, Bureau of Waste Site Cleanup

ec: Theresa Park, Director, Office of Planning and Development, City of Lawrence
Joanne Fagan, Brownfields Coordinator, MassDEP-NERO

1. PROJECT AREA DESCRIPTION AND PLANS FOR REVITALIZATION

a. Target Area and Brownfields Background and Description of Target Area: The City of Lawrence (30 miles north of Boston, MA) was a noted manufacturing city that provided jobs to an influx of immigrants in its massive textile mills. Most textile mills began leaving in the 1940s-50s, precipitating a disinvestment in the city, leaving behind an impoverished, mostly immigrant, population living in neighborhoods experiencing environmental contamination due to a century of unregulated industrial development. More recent industrial operations (eg. trash incinerators, landfills, automotive and body repair shops) have added to the burden. This industrial legacy resulted in the State identifying 273 brownfield sites in Lawrence and prompted EPA to designate Lawrence a "Making a Visible Difference" community [EPA Brownfields 2007 Grant Fact Sheet, Lawrence MA; 2007 Lawrence Brownfield grants/historical facts.png]. Lawrence is an Environmental Justice Community and a MA Economically Distressed Area- areas eligible for targeted assistance under the MA Brownfields Act based on criteria including unemployment, poverty, job loss and commercial vacancy. Vacant lots/brownfields are part of neighborhood life. Access to green space, healthy food and quality recreational areas is limited. Most brownfield sites in the City lie north of the Merrimack River and the Tombarello Property (the Site) is in this area. The Site, located along the Marston St. corridor, has a history of contamination (a landfill, trash to energy incinerator, compressed natural gas facility). Commonwealth Motors, Cote's Trucking Co. and several mechanics are within 0.5 mile, contributing to traffic and diesel fumes.

The Tombarello Site is closely abutted by eleven residential properties to the north along Hoffman Ave., by Parthum Elementary/Middle School, Lorenz ball field and a 144-unit condo complex to the west across Marston St., an automobile dealership (formerly a waste recycling facility) to the south, and by the Merrimack River and I-495 400 feet to the east. The Site is in the densely populated Prospect Hill neighborhood (census tract 2508)- a mixed-use neighborhood with residential, institutional, educational, commercial and light industrial uses.

Demographics & Indicators of Need:	**CT 2508**	**Lawrence**	**MA**
Population[1]:	7,801	79,497	6,789,319
Unemployment (Sept.2019)[2]:	N/A	5.2%	2.9%
Poverty Rate[4]:	23%	24.2%	11.1%
Percent Hispanic or Latino[1]:	8.7%	79.1%	11.2%
Median Household Income[4]:	43,644	39,627	74,167
Language Other than English[5]:	69.5%	77.9%	23.1%
9-12th grade ed, no diploma[5]:	16.8%	12.8%	5.1%
Female headed HH children <18[5]:	15.4%	19.3%	6.5%
Households with SNAP benefits[4]:	37.9%	42.1%	12.3%

[1,4,5] 2013-2017 American Community Survey 5-year estimates; [1]DP05, [4] DP03, [5] DP02

[2] MA Exec Office Labor/Wrkforce Dvlpmt-Labor Mkt Info: http://lmi2.detma.org/lmi/town_comparison.asp

[3]Bureau of Labor Statistics, https://www.bls.gov/news.release/pdf/empsit.pdf

i. Description of Brownfield Site: The 14-acre Tombarello Site, located at 207 Marston St. in Lawrence, is the largest brownfield in the Prospect Hill neighborhood. It is an abandoned former scrap metal recycling facility near the Merrimack River and sensitive populations (eg. school aged children, low income families, and a high percentage of women of childbearing age). The Site was owned and operated by John C. Tombarello & Sons, Inc. as a scrap metal recycling facility from 1941-1998. The southern end was once a soap manufacturer. In December 1998, the Site was sold to American Recycling, Inc. which accepted scrap metal (e.g. crushed automobiles,

storage tanks, machinery and computer parts). Precious metals from the computers were extracted using cyanide. American Recycling abandoned the Site and First Lawrence Financial, LLC became the mortgage holder. A truck driving school operated on Site in 2006. In May 2016, the City acquired the Site through tax foreclosure. Structures on Site include a metals shop, furnace building, and the concrete pads of a former baler/press building,and 2 shear buildings. Soil piles are scattered throughout. A10-20-ft-high earthen berm is located on the eastern/southern borders which was created when the site operator pushed soil from Site to the boundaries.

The Tombarello Site is subdivided into two lots (Lots 1and 2). The smaller Lot 1, located along Marston St., is less contaminated and was the focus of a 2017 EPA Brownfield Cleanup grant expected to be complete by end of CY2020. **Lot 2 is the focus of this cleanup application.** Lot 2 is 11.4 acres and located east of Lot 1 and abuts I-495 to the east. The Merrimack River is located across I-495 from Lot 2. Most of the structures associated with the Site are located on Lot 2. In 2010/2011, EPA conducted investigations on Lots 1 and 2 and a targeted cleanup on Lot 2. In 2016, EPA conducted a Targeted Brownfields Assessment to fill additional data gaps. In late 2018/early 2019, EPA conducted a second targeted removal action on Lot 2 to address elevated levels of PCBs in soil. In 2018, The City retained GEI to conduct an assessment on Lot 2 to support development of a cleanup plan that is protective of future Site users while minimizing soil management and disposal costs. Based on the results of investigations conducted, seven discrete areas have been found where PCB concentrations in soil are ≥ 100 ppm. Three of these areas require further delineation. Three discrete areas where PCB concentrations are ≥ 100 ppm have also been identified in the soil berm. Soil with PCB concentrations ≥ 100 ppm will require excavation and offsite disposal. Seven discrete areas where PCB concentrations are ≥ 50 ppm and <100 ppm have been identified. These areas have been delineated for excavation and onsite consolidation under a cap. Although concentrations of several metals are elevated and concentrations in some samples exceed MCP Upper Concentration Limits, no metals hot spots, as defined by the MCP, have been identified. Sufficient soil data has been collected to support an MCP Method 3 Risk Characterization. Data to characterize the concrete slabs indicate that the slabs are suitable for onsite reuse under a risk-based BUD. Based on visual inspections of debris piles, testing of suspect asbestos containing materials is warranted and is planned.

b. Revitalization of the Target Area: i. Reuse Strategy and Alignment with Revitalization Plans: Lawrence's 2016 Urban Renewal Plan, generated with robust community input, identifies four key focus areas: 1) Economic Development, 2) Job Creation, 3) Quality of Life and 4) Municipal Fiscal Stability. The redevelopment of the Tombarello Site aligns with these goals and has great potential to be a lynchpin in the City's economic revitalization. As the largest brownfield in the Prospect Hill neighborhood, its cleanup and redevelopment will have profound benefits for the neighborhood and positively impact and address community needs. During the development of this proposal, the City directly engaged the development community with expertise in brownfield redevelopment, residents through neighborhood associations, and the Lawrence Partnership, a private/public sector collaboration for the economic development of the City. Feedback from these groups has been included in the City's phasing and marketing strategy.

REDEVELOPMENT PLAN: Because of the large size of the Tombarello Site and the different contamination status between Lot 1 (less contaminated) and **Lot 2** (more heavily contaminated) it was divided into two redevelopment parcels. Yet based on discussions with numerous developers, who thought one larger parcel was more marketable, the City has revised the redevelopment plan to take this into account. Phase I: Cleanup of Northwest Portion of Lot 1.

About 0.2-acre in the northwestern area of Lot 1 will be cleaned up to accommodate a neighborhood park. The remainder of Lot 1, which meets the cleanup goal for Lot 2 without additional remedial action, will be incorporated into Lot 2.

Phase II: Cleanup and Redevelopment of Lot #2 (The focus of this application). Cleanup of this 11.4-acre Site will support light manufacturing and flex space use. Additional Site development: A green buffer zone and walking path is planned between Hoffman St. homes and the Site's northern boundary. This portion was already partially cleaned up by EPA during the removal action in 2011. **Approximately 0.02-acre at the southeast corner of the Site is within the limits of a 500-year flood plain. Low Impact Development approaches and the city's stormwater ordinance will help prevent pollution of the Merrimack River.**

Based upon input at a public meeting about the project, redevelopment priorities are to:1) Add amenities that align with resident goals; 2) Minimize impact of traffic congestion; 3) Contribute to jobs/economic improvement. The Disposition RFR will incorporate these goals. The City plans to install traffic calming measures at the East Haverhill/Marston Street intersection due to resident safety concerns. Marston St. is already a priority for Lawrence's Complete Streets work

ii. Outcomes and Benefits of Reuse Strategy: Declining property values and economic distress caused by the many high-priority brownfields debilitates Lawrence's long-term economic recovery. The significant remediation required places a heavy burden on local government. Prospective residents and developers are looking for better neighborhoods and housing opportunities causing out-migration of the very residents best equipped to stimulate growth. The Tombarello Site is located within Opportunity Zone 25009250800 and is on prime development property near the highway, with 500+ feet of visible highway frontage. It has tremendous redevelopment potential and being in an opportunity zone incentivizes development. Developers have inquired about the Site, but contamination is a barrier to positive reuse. Lawrence has a Green Communities designation and has adopted stretch codes requiring higher efficiency in construction. The City will encourage development that integrates **LEED certification and green building design.** Comparing active-use sites nearby, the City estimates $260,000/year in lost tax revenue.

c. Strategy for Leveraging Resources: i. Resources Needed for Site Reuse: Besides the $500,000 requested in this application, an additional $250,000 from Mass Development is pending for the cleanup. These additional funds will assist with removal of the most highly contaminated soil (PCBs ≥ 100 ppm) from Lot 2 and provide a developer with known conditions and a pathway to final cleanup/closure approved by regulatory agencies. The developer would perform the final remedy (regrading of the berm, on-site soil consolidation and capping). The Merrimack Valley Planning Commission committed $200,000 leveraged funds from brownfield revolving loan fund to the investor for this final remediation. Additionally, $100,000 leveraged from City funds will provide traffic calming measures at a dangerous intersection near the site.

ii. Use of Existing Infrastructure: The redevelopment of the Site can take advantage of existing infrastructure on the street. Water/sewer/electrical/gas/telecommunications are available along Marston Street and can be easily connected via underground utility corridors.

2. COMMUNITY NEED AND COMMUNITY ENGAGEMENT

a. Community Need i. The Community Need for Funding: The economic upheaval of recent decades, exacerbated by the 2008 recession, weakened Lawrence's manufacturing sector, eroded many recent Latino family economic gains, and weakened social safety nets. Losses of local

businesses and factory shutdowns/downsizing resulted in a cumulative job loss of 500 and contributed to over 1000 vacant/underutilized lots in the City. Lawrence's economic fragility was exposed in Sept. 2018 when a gas explosion killed one person, injured more than two dozen, and forced the evacuation of 30,000 residents. Emergency services were strained. Many homeowners and businesses never recovered. The limited tax base from the largely low-income population of Lawrence and a $15.6M current delinquent taxes, strains an already tight municipal budget. The Tombarello Site is in a prime location for new economic development but since the City does not have funds to remediate it has remained idle and unproductive for years and is a health and safety burden for the neighborhood. This grant would fund the offsite disposal of contaminated materials, eliminating a critical barrier to the Site's economic development potential.

ii Threats to Sensitive Populations: 1) *Health or welfare of Sensitive Populations:* Lawrence is densely populated and is only 7 square miles. The site is a large contaminated parcel that negatively impacts all Lawrence residents, especially young children, low income residents, and elders. The site is located across from a school. Many single mothers with children live in the area. Residents cite unemployment, low income, lack of transportation and crime as healthy lifestyle barriers. Unsafe walking/biking conditions, fear of personal safety and unsafe neighborhoods near this location, (drugs/ gun/domestic/gang violence) contribute to lack of exercise, poor mental health, trauma and daily stress. Public meetings will address citizen concerns around health, safety, and community disruption during cleanup and reuse. The following strategies will ensure cleanup activities are conducted in a manner protective of the sensitive populations: LSP oversight, a fence around the property, warning signs in multiple languages and monitoring of fugitive dust emissions. The Project Mgr. will be the point of contact to address any concerns.

2)*Greater Than Normal Incidence of Disease and Adverse Health Conditions:* Studies suggest the link between PCB exposure and a higher risk of diabetes, respiratory problems and low birth weight babies. Older housing stock and emissions from high traffic areas put children at disproportionate risk for lead poisoning and asthma. Health risk is exacerbated by brownfields, often contaminated with lead/ heavy metals and PCBs. Chronic diseases, (e.g. diabetes, obesity, mental health, asthma) were top health concerns identified in a 2019 Lawrence General Hospital Community Health Needs Assessment (CHNA). Per the CHNA, diabetes prevalence in Lawrence is higher (11.5%) than the State (7.5%). The difference in prevalence rates is striking in the 45-64 age group (24.2% Lawrence/9.3% State) and 65+ age group (33.7%Lawrence/ 17.9% State). A third of adults in Lawrence are obese (33.2% Lawrence/23.3% MA). MA Department of Public Health's Childhood Lead Poisoning Prevention Program ranks Lawrence #7 out of 19 high risk communities in MA (https://www.mass.gov/files/documents/2018/09/19/cy13-17-high-risk-communities_0.pdf). Per the CHNA, Lawrence youth are twice as likely to be admitted to the Emergency Dept. for asthma than the state rate (149.8 visits vs 66.5 visits per 10,000). Pediatric asthma prevalence in Lawrence K-8 students is 16.6 per 100K vs 2.4 MA.

3) *Disproportionately Impacted Populations:* 100% of Lawrence is classified as an EJ community compared to 12.1% average for all MA communities. According to MA DEPs Waste Site/Reportable Release Site Look Up (https://eeaonline.eea.state.ma.us/portal#!/search/wastesite/results?TownName=LAWRENCE), Lawrence has 5 Tier 1 (most hazardous) sites and the Tombarello Site is one of these. Residents risk exposure to lead, asbestos, PAHs, PCBs, heavy metals, chlorinated solvents, VOCs and other toxins from former industrial sites, gas stations, auto body shops, and residential sites. On the adjacent I-495, daily rush hours are a source of gas and diesel emissions

(average daily traffic volume of 126,074). The Marston St. corridor adds to emissions/noise levels (2017 daily traffic volume of 10,250). The Lawrence Municipal Airport is across the Merrimack River. Emission exposure from highly trafficked areas is likely a contributing factor to the high childhood asthma rates (2008 MA DPW study 'Air pollution and Pediatric Asthma in the Merrimack Valley'). The Site is surrounded by other environmentally hazards including: a former landfill, a former waste treatment facility, a wastewater treatment facility, auto sales and mechanic businesses, a former natural gas storage and 2 incinerators (both within 3 miles).

Lawrence's low income, majority Latino population, high unemployment rate and high incidence of obesity, asthma and other chronic diseases make health equity and sustainability important considerations for Site design. Providing more transportation options along Marston St. will decrease household transportation costs, improve air quality, create a safer, more walkable, bikeable neighborhood and promote public health. Improving economic competitiveness of Prospect Hill by bringing in services that provide residents with healthy, affordable and cultural options will contribute to employment opportunities and health. Enhancing the neighborhood with a green buffer zone, walking path, and park will help with noise/air pollution, reduce the heat island effect, help mitigate stormwater flow, and provide opportunity for physical activity.

b. Community Engagement: *i.* Project Partners *and* ii. Project Partner Roles

Partner: MA Dept. of Environmental Protection (MassDEP); **Contact:** Joanne Fagan, Section Chief, Northeast Regional Office 978.694.3390; joanne.fagan@mass.gov **Role:** Provide technical assistance regarding cleanup and reuse. Coordinate with MassDEP.

Partner: EPA; **Contact:** Christine Lombard, Brownfields Proj. Officer, EPA - Region 1, 617.918.1305 lombard.chris@epa.gov **Role:** Interact w/ PM & LSP ensure work is protective of human &environmental health. Cleanup & development performed under EPA's TSCA program.

Partner: MassDevelopment; **Contact:** Eleni Varitimos,VP Comty Development, 978.459.6100, x1403 evaritimos@massdevelopment.com **Role:** Lawrence has a pending MassDevelopment grant to support cleanup activities of Lot 2.

Partner: Merrimack Valley Planning Commission; Karen Sawyer Conard, Exec. Dir. 978.374.0519 ext.12 KConard@mvpc.org **Role:** Assist with reuse plans & developer recruitment. Revolving Loan Fund for Remediation.

Partner: Groundwork Lawrence (GWL); Heather McMann, Exec. Director, hmcmann @ groundworklawrence.org**;** 978-974-0770x7009 **Role:** Outreach, community endeducation, organize public meetings, contribute to assessment, planning, and project implementation.

The following partners will assist with this role: Provide time/space during monthly meetings for project updates and resident input in cleanup and redevelopment.

Partner: District A Neighborhood Association; Maria De La Cruz, President, 978.303.7243, mariadlc@yahoo.com**; Partner:** Prospect Hill Neighborhood Association; David Struffolino, Resident, 978.688.3446, phbbna@aol.com **Partner:** Parthum School; Maria Calobrisi, Principal, 978.691.7200; maria.calobrisi@lawrence.k12.ma.us

iii. Incorporating Community Input: Regular communication with residents/businesses has been integral to the assessment/cleanup of the Site. Many residents have lived in houses adjacent to the Site for decades and been directly impacted by historic site activities cleanup work. The PM will be a continual point of contact with the public to address public health, safety, and reuse plan concerns. Communication will be in Spanish & English and include: 1) Public meetings:

Two public meetings will be held. The first, once the City has procured cleanup services. Health, safety and community disruption concerns will be addressed. The second meeting after cleanup is completed. The team will present project outcomes and discuss reuse planning efforts. Meetings will be at a nearby church which is handicap accessible with plenty of parking. Meetings will be conducted in English with translation for Spanish speakers. 2) Direct Outreach: Communication with residents living near the site is through quarterly canvassing efforts by a bilingual, multicultural team. The team updates residents about the project, answers questions, and allays concerns. Bilingual flyers are left at houses with contact info. Canvassing occurs after 3:30 pm on weeknights when families are most likely to be home. 3) Neighborhood Association meetings: Team members will attend monthly meetings of the Prospect Hill and District A Neighborhood Assoc. to provide updates/answer questions. City Councilor, Maria de la Cruz, is an abutter and president of the District A Neighborhood Assoc. 4) Social media and project website: The City website page shares information related to the project (http://www.cityoflawrence.com/771/Tombarello-Site-Assessment-and-Clean-Up). Twitter, Facebook, Instagram updated quarterly will raise awareness. 5) Outreach to developers: Economic Development Officer has existing rapport with local businesses interested in the Site and the outreach will expand to others as the project progresses.

Input from all these methods will be shared with the project team and become part of the ongoing project management and strategic redevelopment of the site.

3. TASK DESCRIPTIONS, COST ESTIMATES, AND MEASURING PROGRESS

a. Proposed Cleanup Plan: The proposed cleanup plan for Lot 2 includes a combination of soil removal, containment measures, and institutional controls to mitigate potential human health risks associated with exposure to PCBs, metals, and PAH contamination in soil. With these funds, the most highly contaminated soil (PCBs ≥ 100 ppm) would be removed and provide a developer with certainty around soil conditions, soil management requirements, and a pathway to closure approved by regulators. Containment measures and implementation of institutional controls would be incorporated into development plans and completed by a developer.

Soil with PCB concentrations ≥100 ppm will be excavated and disposed offsite at a chemical waste landfill or a TSCA permitted PCB landfill. Soil with PCB concentrations ≥ 50 ppm and less than 100 ppm will be excavated and placed in an on-site consolidation area along with soil in the soil piles across the Site and the soil berms located along the eastern and southern Site boundaries. The on-site consolidation area will be capped with asphalt pavement for parking. The remainder will be capped with a combination of buildings, pavement, and clean soil.

Since contaminated soil will remain on-site, although under a cap to prevent exposure, institutional controls in the form of a deed restriction will be implemented. The deed restriction will restrict certain activities on the Site, including restricting future residential use. The deed restriction will require preparation and implementation of Health, Safety and Soil Management Plans during future construction involving excavation and management of contaminated soil. Periodic inspections and maintenance of the cap over the consolidation area will be required.

In MA, the Brownfields Program is a privatized waste site assessment/cleanup program in which direct oversight is performed by Licensed Site Professionals (LSPs) rather than MA DEP. LSPs are licensed by the State and develop and execute a scope of work that will satisfy State requirements to address contaminated property (MA General Law c.21E and the MCP). The Site is also subject to TSCA regulations due to elevated PCB concentrations. Therefore, the LSP will ensure that cleanup of PCB contaminated soils is conducted in accordance with TSCA requirements. Remediation and development contractors will be required to control dust during soil excavation &mgt. Perimeter air monitoring for fugitive dust will be conducted.

The ABCA describes and evaluates three cleanup alternatives. Alternative 3, excavation of soil with PCB concentrations ≥100 ppm, onsite consolidation of soil with PCBs ≥ 50 ppm and < 100 ppm, construction of a cap, and implementation of institutional controls is the most cost effective and protective cleanup plan that facilitates redevelopment of Lot 2. The cleanup plan will be compliant with State/Fed regulations, be protective of human health and the environment, and facilitate Lot 2 redevelopment for a wide range potential uses.

b. Description of Tasks/Activities and Outputs

Task/Activity 1: *COOPERATIVE AGREEMENT OVERSIGHT* i. Project Implementation: Non-EPA grant resources- Programmatic grant management. The *Project Manager* (PM) will coordinate efforts between the City/LSP/grant partners/EPA Project Officer. Attend EPA National Brownfield Conf. The *Mgr of Finance and Admin*. provides financial oversight, process invoices, submits monthly billing, and procures LSP. The *Economic Dev. Officer* prepares reports &ACRES.

ii. Schedule: Execute contract w/ EPA:10/01/2020; Attend EPA Brownfield Conf.: 12/20/21; Submit Reports & ACRES documentation quarterly; Meet quarterly w/ EPA, Mass DEP; Hold Team meetings w/ LSP, GWL, City monthly; Process Invoices monthly: 1/15/21 -10/15/23

iii. Task/Activity Lead(s): Project Manager; Economic Development Officer

iv. Output(s): Timely completion of grant tasks and expenditures, conference attended, LSP secured, EPA quarterly reports and ACRES updated, Closeout of Cooperative Agreement.

Task/Activity 2: *COMMUNITY OUTREACH AND ENGAGEMENT* i. Implementation: EPA-funded activities: The LSP and GWL will assist the City with engaging and educating the neighborhood residents/businesses about the project. Non-EPA grant resources: PM prepares a Community Relations Plan, attends public meetings, interfaces w/ local businesses, residents and elected officials. City's Neighborhood Planner attends neighborhood association meetings, engages school staff/parents.

ii. Schedule: Communication Plan Developed:10/2020; Present at City Council:10/2020; Attend Neighborhood Mtgs monthly:10/2020-9/2023; Public Mtg #1: 3/2021 Public Mtg# 2: 7/2021

iii. Task/Activity Lead(s): Neighborhood Planner and Groundwork Lawrence

iv. Output(s): Community Relations Plan developed, project website with up to date information, 12 social media releases across three platforms, 2 public meetings held, handouts produced, meeting minutes and public comments documented, personal interaction with City Councilors/ businesses/school community, 36 neighborhood meetings attended.

Task/Activity 3: *SITE-SPECIFIC ACTIVITIES/CLEANUP* i. Project Implementation: EPA-funded activities: LSP Finalize ABCA, submit Quality Assurance Project Plan (QAPP), assist with bid package (eg. design Specifications and Drawings), prepare MCP regulatory submittals, conduct cleanup. GWL engages community and incorporates input into final documents. Non-EPA grant resources: *Mgr Finance and Admin & PM* with LSP consult, procures remediation contractor

ii. Schedule: Procure Qualified Environmental Professional: 10/2020; Submit finalized ABCA & QAPP: 12/2020; QAPP approval received: 1/2021; Prepare plans, specifications, bid package: 11/2020 – 1/2021; Solicit bids: 2/2021; Award contract to remediation contractor: 3/2021; Submit MCP Release Abatement Measure (RAM) Plan: 4/2021; Conduct cleanup: 4/2021– 5/2021; Submit RAM Completion Report: 7/2021

iii. Task/Activity Lead(s): LSP and remediation contractor

iv. Output(s): Finalized ABCA, QAPP, Release Abatement Measure Plan; Remediation specifications developed. Remediation contractor secured; efficient, safe cleanup conducted.

Task/Activity 4: *OVERSEE SITE CLEANUP/REDEVELOPMENT* i. Project Implementation: EPA-funded activities: Project monitoring and closeout. The *PM* LSP and GWL will meet regularly. *LSP* will monitor project to ensure cleanup is progressing safely and efficiently, participate in weekly construction updates, coordinate with MassDEP and EPA, and assure all required paper-work and closeout documentation is completed. GWL will ensure that the resident voice is incorpo-rated into the Disposition RFP and reuse plans. Non-EPA grant resources: The *Economic Develop-ment Officer* will document labor compliance with the Davis-Bacon Wage Act. Redevelopment planning. The *PM* will work with developers on redevelopment plans and City Depts. to coordinate. Prepare RFP and conduct disposition of property. Traffic improvements.
ii. Schedule: Developer Outreach: 10/2020- 2/2021Begin Disposition process-RFP released: 3/2021-4/2021; Construction Meetings: Weekly 4/2021–5/2021; Site Inspections: Daily 4/2021–5/2021; Review Bids: 4/2021-7/2021; Developer Retained: 7/2021; Closeout: 7/2021–9/2021
iii. Task/Activity Lead(s): Economic Development Officer and LSP
iv. Output(s): Weekly construction meetings, cleanup completed, Disposition RFP developed, LSP site monitoring, submission of state-required reporting, redevelopment partners secured.

c. Cost Estimates Budget	Task 1	Task 2	Task 3	Task 4	**Total**
Personnel	$31,749	$17,576	$14,422	$12,918	$76,665
Fringe Benefits	$6,350	$3,516	$2,885	$2,584	$15,335
Travel	$5,000				$5,000
Supplies		$3,000			$3,000
Contractual		$5,000	$475,000	$20,000	$500,000
Total Direct Costs	$43,099	$29,092	$492,307	$35,502	$600,000
Total Federal Funding		$5,000	$475,000	$20,000	$500,000
Cost Share (20%)	$43,099	$ 24,092	$17,307	$15,502	$100,000
Total Budget	$43,099	$29,092	$492,307	$35,502	$600,000

TASK 1 - COOPERATIVE AGREEMENT OVERSIGHT:

1) *Personnel & Fringe*: $38,099 EPA Grant $0 Cost Share: $38,099 (City General Funds)
PM -320 hours at $68.95/hour incl. tax and fringe = $22,064
Mgr of Finance and Admin -90 hours at $58.83/hour incl. tax and fringe = $5,295
Economic Development Officer- 340 hours at $31.59/hour incl. tax and fringe = $10,470

2) *Travel Costs:* $5,000 EPA Grant: $0 Cost Share: $5,000 (City General Funds)
$5,000 for PM and Economic Development Officer to attend EPA Conference includes Air fare/lodging/per diem will be paid for out of City general funds

TASK 2 - COMMUNITY OUTREACH AND ENGAGEMENT:

1) *Personnel & Fringe*: $21,092 EPA Grant: $0 Cost Share: $21,092 (City General Funds)
PM -200 hours at $68.95/hour incl. tax and fringe = $13,790
Neighborhood Planner -175 hours at $41.72/hour incl. tax and fringe = $7,302

2) *Supplies:* $3,000 EPA Grant: $0 Cost Share: $3,000 (City General Funds)
$5,000 for placing advertisements in the newspaper and printing outreach materials

3) *Contractual:* $5,000 EPA Grant: $5,000 Cost Share: $0

LSP (TBD)- 30 hours at $100/hr = $3,000 GWL- 20 hours at $100/hr= $2,000

TASK 3 - SITE-SPECIFIC ACTIVITIES/CLEANUP:

1) *Personnel Costs*: $17,307 EPA Grant: $0 Cost Share: $17,307 (City General Funds)

PM -145 hours at $68.95/hour incl. tax and fringe = $9,998
Economic Development Officer- 129 hours at $31.59/hour incl. tax and fringe = $4,074
Mgr of Finance and Admin -55 hours at $58.83/hour incl. tax and fringe = $3,235

2) *Contractual:* $475,000 EPA Grant: $475,000 Cost Share: $0

LSP- 120 hours at $100/hour = $12,000 GWL- 150 hours at $100/hour = $15,000
Remediation Contractor – Total cost estimate for cleanup offsite soil disposal = $448,000.

TASK 4 - OVERSEE SITE CLEANUP/REDEVELOPMENT:

1) *Personnel Costs*: $15,052 EPA Grant: $0 Cost Share: $15,502 (City General Funds)

PM -150 hours at $68.95/hour incl. tax and fringe = $10,343
Economic Development PO -163.3 hours at $31.59/hour incl. tax and fringe = $5,159

2) *Contractual:* $20,000 EPA Grant: $20,000 Cost Share: $0

LSP- 150 hrs at 100/hour = $15,000 GWL- 50 hrs at 100/hour = $5,000

d. Measuring Environmental Results

Task 1- Cooperative Agreement Oversight: **Measures:** Procurement process for LSP & contractors; # meetings w/ LSP; LSP reports to assure workplan goals met; Expenditures/Invoices align w/ work completed. **Outputs:** LSP & contractors secured; EPA reports/ACRES updated; Conference attended. **Outcomes:** Timely completion of activities/expenditures; Successful closeout.
Task 2- Community Outreach & Engagement: **Measures:** # of residents attending public meetings & neighborhood assoc. meetings; contacts w/ stakeholders; followers on social media. **Outputs:** Community Relations Plan dvlpd; Outreach materials produced; Meeting minutes filed. **Outcomes:** Community engaged; input integrated into redevelopment plan.
Task 3- SiteActivities/Cleanup: **Measures:** Relevant documents produced; Field visits ensure cleanup following workplan/safety protocols. **Outputs:** Final ABCA; QAPP; Remedial Action Plan; Soil Mgt. Plan. **Outcomes:** Efficient, Safe remediation of 11.4 acres of brownfield.
Task 4-Oversee Site Cleanup & Redevelopment: **Measures:** # meetings b/t LSP & PM; LSP oversight of remediation; # of PM meetings w/ developers. **Outputs:** State reports filed; AUL documented; Davis-Bacon reports. **Outcomes:** Closeout documentation; developer secured.

4. PROGRAMMATIC CAPABILITY AND PAST PERFORMANCE

a. Programmatic Capability: *i.* Organizational Structure and *ii.* Description of Key Staff

The Brownfield Cleanup grant will be managed, by the Office of Planning and Development (OPD). OPD has developed an existing and experienced staff with capacity to ensure timely and successful expenditure of funds and completion of all technical and administrative requirements. Key staff have experience managing the current EPA Brownfield Assessment & Cleanup grants. Planning and Development Director- Theresa Park *Role*- **Project Manager (PM)**: Overall responsibility to assure partner and sub-recipient commitments are being met; Coordinate with City Depts, internal team and EPA Program Officer; Interface with local businesses/developers; Point of contact with community; Keeps Mayor informed. *Experience*- Successfully administered $20M+ of infrastructure and site readiness projects; developed relationships with Mass Development, EPA Region I staff, MVPC. Mgr of Finance & Admin. Services -Susan Fink: *Role*- Grant **Financial oversight**; oversee bid process. *Experience* -Responsible for administrative and financial requirements of recent EPA Brownfield grants. Employed by City since 1995. Manages numerous Federal and State grants. Economic Development Officer II -

Esther Encarnacion: *Role* -Prepare EPA quarterly **reports &ACRES updates;** Document Davis-Bacon Wage compliance. *Experience*-Trained on ACRES. Neighborhood Planner- Wendy Luzon: *Role*- Responsible for **communicating project and outreach** to neighborhood associations, neighborhood school and other community groups. *Experience* - In her role as Neighborhood Planner she builds upon her strong community ties gained by 15+ years as a community activist and co-founder of non-profit focused on domestic violence.

iii. Acquiring Additional Resources: The OPD is poised to work in cooperation with a strong team of sub-grantees and community partners. The LSP and Remediation Contractor will be procured using a Request for Qualifications process. The **Manager of Finance & Admin.** oversees procurement, following Massachusetts procurement laws. The City will utilize Groundwork Lawrence (GWL)for outreach/ed. The City has a Cooperative Agreement with GWL and can directly contract with them for projects that fit under the terms of the Agreement.

b. Past Performance and Accomplishments: i. *Currently Has or Previously Received an EPA Brownfields Grant 1*) Accomplishments: The City has successfully completed and closed out several EPA Brownfield grants and has an assessment and a cleanup grant currently ongoing. Accomplishments in ACRES, for the three current/ most recent grants include:
1) **2017 Site Specific Assessment grant** (FY18 BF00A00376) Current Grant as of 1st Qtr 2019, **Outputs:** GEI consultants selected to perform assessment work**;** Aerial drone survey completed; QAPP approved; investigations conducted. **Outcomes**: Lot 2 assessment included collection of soil samples from 97 berm locations, 31 soil pile locations, and 43 "at-grade" locations. All soil samples tested for PCBs. Select samples were tested for metals, extractable petroleum hydrocarbons (EPH), and/or volatile organic compounds. Concrete samples collected from 16 locations on concrete pads and tested for PCBs, EPH, and metals.
2) **2017 Cleanup Grant** (BF00A00375) Current Grant as of 1st Qtr 2019, **Outputs:** EPA approved QAP; Completed: Existing conditions survey and hazardous materials assessment**;** hazardous building materials assessment for all site structures**;** Aerial drone survey. **Outcomes**: Chemical database being developed; Data collected on Lot 1 evaluated and compared with MCP criteria for future use as a green space and to identify areas requiring cleanup.
3) **2012 Assessment grant** (BF96170001) **Outputs:** 8 Phase I, 1 Phase II ESA **Outcomes:** a) Assessment work of Ferrous Site led to a $2.3M Gateway City Parks grant; b) 9 Osgood sold to minority business owner and 20 jobs produced; c) Training facility planned at 41-55 Lowell St; d) Assessment work at 100 Parker St. assisted with leveraging $2M for 10 condos.

2) Compliance with Grant: Since 1996 the City has successfully managed 7 EPA Brownfield grants totaling $2.65 M. For all grants, the City has complied with grant terms /workplan/schedule/ programmatic & financial reports/ACRES. All funds were fully expended on all closed grants. The current grants are on track to achieve expected results and spend down. The schedule is as follows: FY18 BF00A00375: 12/19- Complete delineation for cleanup; 1/20-3/20- Prepare MCP Release Abatement Measure & Plan and bid documents for Lot 1 cleanup; 4/20- Award cleanup contract; 4/20-5/20- Conduct cleanup; 6/20-7/20- Submit closure report. FY 18 BF00A00376: 3/20-complete assessment; 4/20-6/20- Prepare MCP Phase II Comprehensive Site Assessment, Phase III Remedial Action Plan, & Conceptual TSCA Cleanup Plan.

c. Leveraging: In addition to the $500,000 funds requested, the City has received a commitment of $200,000 from the Merrimack Valley Planning Commission Revolving Loan Fund for Brownfield Cleanup and $250,000 pending from MADevelopment Brownfields Fund. MA Development's board recommended funding for Lawrence and the City is waiting official notification.

Documentation Leveraged Resources Commitment

Letter from Merrimack Valley Planning Commision

Former Tombarello Site

207 Marston Street, Lot 2, Lawrence, Massachusetts

MassDEP Release Tracking Number (RTN) 3-0018126

Merrimack Valley Planning Commission

Plan • Innovate • Promote

160 Main Street, Haverhill, Massachusetts 01830 | P: 978.374.0519 | F: 978.372.4890 | mvpc.org

November 27, 2019

Honorable Daniel Rivera, Mayor
City of Lawrence
200 Common Street
Lawrence, MA 01840

Subject: Commitment Letter for Brownfield Cleanup Grant
Tombarello Site Lot #2

Dear Mayor Rivera:

The Merrimack Valley Planning Commission (MVPC) is pleased to support the City of Lawrence's application to the US EPA's FY 2020 Brownfields Cleanup Grant and can commit up to $200,000 from our Revolving Loan Fund (RLF) to support the Tombarello Site's cleanup and reuse provided all program requirements are met.

MVPC began as the Central Merrimack Valley Regional Planning District in 1959. We have a distinguished record of accomplishment over the past ten years administering the Brownfields Cleanup Revolving Loan Fund for municipalities, nonprofit organizations, and private businesses across the Merrimack Valley region.

The cleanup and redevelopment of the former Tombarello Site is an important step in the revitalization of the Marston Street commercial corridor. As you know, MVPC has provided EPA Assessment funds in excess of $50,000 to advance the redevelopment of this important gateway site. MVPC has been working with the City of Lawrence and the Massachusetts Department of Transportation to implement street improvements and a traffic signal project to the nearby Marston Street/ Ferry Street/ Commonwealth Drive intersection.

We are excited by the revitalization of the Tombarello site and the energy, investment and renewal that it can bring to the great City of Lawrence. Please contact me directly for any assistance via phone: (978) 374-0519 x12 or email: kconard@mvpc.org.

Sincerely,

Karen Sawyer Conard
Executive Director

Threshold Criteria

Former Tombarello Site

207 Marston Street, Lot 2, Lawrence, Massachusetts

MassDEP Release Tracking Number (RTN) 3-0018126

1. **Applicant Eligibility**
   The City of Lawrence is a General-Purpose Unit of Local Government and is therefore an eligible applicant for this grant. It was charted as a City in 1853 and the present municipal charter was adopted on October 17, 1983.

2. **Previously Awarded Cleanup Grants**
   The Tombarello Site Lot #2 has not received funding from a previously awarded EPA Brownfields Cleanup Grant.

3. **Site Ownership**
   The City of Lawrence acquired the property from American Recycling of Massachusetts, Inc. on 5/9/2016 through property tax foreclosure. The town of Lawrence has sole ownership as indicated by the fee simple title through recorded deed.

4. **Basic Site Information**
   (a) Name: Tombarello Site Lot #2
   (b) Address: 207 Marston St., Lawrence, MA 01841
   (c) Current Owner: City of Lawrence

5. **Status and History of Contamination at the Site**
   (a) The site is contaminated by hazardous substances.

   (b) Currently the property is vacant. From about 1941-December 1998, the site was owned and operated by John C. Tombarello & Sons, Inc. as a scrap metal recycling facility. Prior to 1935, the southern portion was the site of a soap manufacturer. In December 1998, the site was sold to American Recycling, Inc. which continued to operate under the name Tombarello & Sons. It accepted a wide variety of scrap metal including crushed automobiles, storage tanks, machinery, and computer parts. In order to extract precious metals from the computers, an extraction process using cyanide was used. Eventually, the Site was abandoned by American Recycling, the mortgage foreclosed and First Lawrence Financial, LLC became the mortgage holder. A truck driving school operated on the Site for a short time in 2006. In 2016, the City of Lawrence acquired the Site through tax taking since American Recycling of Massachusetts owed $1.4 million in back taxes. Lot #2 is occupied by two buildings and three concrete slabs that are remnants of past operations as a scrap metal recycling facility. The buildings are former industrial use structures that are steel-framed with concrete block and brick construction. The concrete slabs are reported to have been used for baling and shearing during metals recycling operations. A prominent feature on Lot #2 is a soil berm that is present along the southern and eastern property boundaries. This berm is 15 to 20 feet high and was reportedly created by pushing surface soils from the interior to the perimeter. Additionally, there are several soil and debris piles located on the site. Based on topographic information obtained during a drone flyover of the Site in 2019, the volume of soil present above grade (between berms and soil piles) is approximately 12,000 cubic yards.

(c) Site investigations between 1998 and 2019 included both soil and groundwater sampling. Below is a summary of findings of contaminant conditions in Site soil and groundwater based on these investigations:

SOIL: Soil samples were analyzed for one or more of the following: polychlorinated biphenyls (PCBs), extractable petroleum hydrocarbons (EPH) plus target polycyclic aromatic hydrocarbons (PAHs), volatile organic compounds (VOCs), and metals. PCBs, EPH, PAHs, and several metals are present in Site soil at concentrations above their respective MCP Method 1 risk assessment standards for residential use (MCP Method 1 S-1 Standards). VOCs are not a contaminant of concern.

- **PCBs** are present in both surface and subsurface soil throughout the Site, although PCB concentrations generally decrease with depth at a given location. PCB were detected in almost all of the soil samples collected from the upper one foot with the highest PCB concentration of 7,000 mg/kg. PCBs have also been detected at concentrations up to 890 mg/kg in the soil berm at the southern and eastern Site boundaries. Distinct locations in both surface/subsurface soil and in the soil berm where PCB concentrations are greater than 50 mg/kg and locations where PCBs are greater than 100 mg/kg have been identified.

- **PAHs and metals** are present in soil throughout the Site at concentrations above applicable MCP Method 1 S-1 Standards. PAHs are likely associated with shallow fill. Elevated concentrations of EPH fractions a limited and likely associated with petroleum releases in those areas; however, EPH contamination is commingled with and indistinguishable from PCB contamination in the same areas. The heavy metal most frequently detected over its Method 1 S-1 Standard is lead, with a maximum detected concentration of about 10,000 mg/kg. Although PAH and metals concentrations are elevated, PCBs remain the driver for soil cleanup.

GROUNDWATER: Shallow groundwater contamination consists of very low levels (below MCP Method 1 GW-2 and GW-3 Standards) of some VOCs, metals, and PAHs. Historical operations have not had a significant impact on groundwater and contaminant conditions in groundwater are not a driver for remediation.

(d) The Site became contaminated through its use as a scrap metal recycling facility. In 1998, about 20-30 gallons of heat transfer oil were released to soils at the Site from a scrap heat exchanger that was being delivered to the Site. Metal contamination comes from anthropogenic materials that became commingled with soils during historical Site operations. VOCs and EPH contamination can be attributed to smaller localized petroleum releases and/or anthropogenic materials that became commingled with soils during historical Site operations. When surface soils were pushed to the eastern and southern property lines, contamination was spread throughout the area.

6. **Brownfields Site Definition**
   - **(a)** The Tombarello Site is not listed or proposed for listing on the National Priorities List.
   - **(b)** The Site is not subject to unilateral administrative orders, court orders or administrative orders on consent, or judicial consent decrees issued to or entered into by parties under CERCLA.
   - **(c)** The Site is not subject to the jurisdiction, custody, or control of the United States

Government.

7. **Environmental Assessment Required for Cleanup Proposals**

Equivalent Phase II Site Assessment Reports:

- September 2016, *Targeted Brownfields Site Assessment,* Nobis Engineering, Inc.
- September 2004, *MCP Phase II Comprehensive Site Assessment Report,* Weston Solutions, Inc.

Additional Environmental Assessments Conducted:

- 2019, Assessments conducted by the City of Lawrence under an EPA Brownfields Assessment grant. Results to be incorporated into a Revised MCP Phase II Comprehensive Site Assessment report.
- March 2019, POLREP #2, *Final Polrep, Former Tombarello and Sonds Property Site (second removal action),* USEPA Region I.
- August 2017, *Removal Program Preliminary Assessment/Site Investigation Report*, Weston Solutions, Inc. (START).
- October 2012, *Phase II Scope of Work: Former Tombarello Property,* Tighe & Bond
- August 23, 2011, *Removal Actions- AOC Summary Report, Former Tombarello Property*, Tighe and Bond.
- October 2010, *Region I START Site Health and Safety Plan (HASP) for the Tombarello Site, Lawrence, Massachusetts*, Weston Solutions, Inc., START (Superfund Technical Assessment and Response Team).
- October 2010, *Sampling and Analysis Plan for the Tombarello Site, Lawrence, Essex County, Massachusetts*, Weston Solutions, Inc. START.
- November 12, 2007, *Letter to Ms. Valerie Thompson, Massachusetts Department of Environmental Protection, RE: Site Evaluation Summary Report, Tombarello and Sons Site at 207 Marston Street, Lawrence, Massachusetts, SARSS IV Task Assignment, Document Project No. RTN 3-18126*, Shaw Environmental, Inc.
- April, 2007, *Immediate Response Action Completion Report, Former John C. Tombarello & Sons Property, 207 Marston Street, Lawrence, Massachusetts Release Tracking Number 3-18126*, Weston Solutions, Inc.
- June 8, 2005, *Letter to Ms. Kimberly Tisa of the U.S. Environmental Protection Agency, RE: Supplemental PCB Characterization Results, Former Tombarello & Sons Property*, Weston Solutions, Inc.
- May 15, 2001, *Immediate Response Action (IRA) Completion Report for the American Recycling of Mass, Inc. Property - 207 Marston Street, Lawrence MA. RTN 3-18126,* Haley & Aldrich, Inc. (H&A)
- April 21, 1999, *Immediate Response Action (IRA) Completion Report,* Higgins Environmental Associates, Inc.
- August1998, *Environmental Site Assessment- John C. Tombarello & Sons, Inc.*, W.Z. Baumgartner and Associates, Inc. (WBZ)
- July 20, 1998, *Response Action Outcome Statement*, New England Disposal Technologies (NEDT Inc.)

8. Enforcement or Other Actions

The City of Lawrence is not aware of any outstanding environmental enforcement actions related to the Tombarello Site. The City is not aware, or received or been furnished copies, of any inquiries or orders from any state or federal agencies related to the contamination of, or hazardous substances at, the subject property. There is a United States CERCLA lien dated January 4, 2011, on the property that remained undisturbed by the Final Judgment in the tax lien case between the City of Lawrence and American Recycling of Massachusetts, Inc. However, the statute of limitations freed the City unless there is a windfall.

9. Sites Requiring a Property-Specific Determination

The Site requires a Property-Specific Determination because there has been a release of PCBs and all of the property is subject to TSCA remediation. The City's response to the required information related to the Property Specific Determination request is attached.

10. Threshold Criteria Related to CERCLA/Petroleum Liability

(a) Property Ownership Eligibility - Hazardous Substance Sites

i. **EXEMPTIONS TO CERCLA LIABILITY**

The City of Lawrence is exempt from liability because the property was involuntarily acquired for tax delinquency.

(a) The City of Lawrence is eligible for one of the CERCLA liability defenses under the local government exclusion for involuntarily acquiring the property for owed taxes. The City acquired the property involuntarily from American Recycling of Massachusetts, Inc through tax foreclosure and has been vacant since the City acquired it.

(b) The property was acquired on 5/9/2016.

(c) All disposal of hazardous substances occurred prior to the City's acquisition of the Site.

(d) The City did not cause or contribute to any release of hazardous substances at the Site.

(e) The City has never arranged for the disposal of hazardous substances at the Site or transported hazardous substances to the Site.

11. Cleanup Authority and Oversight Structure

a. Cleanup Oversight: The Massachusetts Brownfields Program is a privatized waste site assessment and cleanup program in which direct oversight of site assessments and cleanups are done by Licensed Site Professionals (LSPs) rather than the Massachusetts Department of Environmental Protection (MassDEP). LSPs are licensed by the State to develop and execute a scope of work that will satisfy the State requirements to address contaminated property (MA General Law c.21E and the Massachusetts Contingency Plan (MCP; 310 CMR 40.0000). The Tombarello cleanup will be conducted by a contracted LSP using the City of Lawrence's competitive procurement process.

The MassDEP will oversee the cleanup process via the MCP, which provides flexible cleanup standards based on a number of factors including location, type and amount of contaminants, how widespread and deep the contamination is, and the intended future use of the property.

b. Adjacent Property Access: It is not anticipated that we will need to obtain or secure site access from abutters. However, a template access agreement exists from previous brownfield grants.

12. **Community Notification**
    a. Draft Analysis of Brownfields Cleanup Alternatives is included in the attachments. The ABCA was made available at the City's Planning Office and at the public meeting. Information about the site contamination issues, cleanup standards, and proposed cleanup plan was shared.
    b. **Community Notification Ad** is included in the attachment. The ad was placed in the Eagle Tribune newspaper on Nov. 18. The ad gave notice of the meeting to be held on Nov. 20, 2019 and that the draft application and ABCA would be available for public review and comment.
    c. **Public Meeting:** The meeting was held at Redeemer Lutheran Church, 163 Haverhill St., Lawrence, MA. Approximately 25 people from the public attended. Comments and responses from that meeting centered around safety and traffic concerns as well as redevelopment options. The City's deadline for receiving comments was December 2 but no further comments were submitted. A video recording of the meeting can be accessed at this link: Tomabrello Lot 2 Public Meeting
    d. **Submission of Community Notification Documents** The required documentation, including a copy of the meeting advertisement, flyer, the sign-in sheet, and the meeting minutes documenting public questions and responses are included in the Threshold Criteria Attachments. A copy of the draft Analysis of Brownfields Cleanup Alternatives is also included in the attachments.

13. **Statutory Cost Share**
    a. **Required Cost Share** The City of Lawrence will use City General Funds to meet the 20% cost share.

    b. **Hardship Waiver** The City of Lawrence is not eligible for a hardship waiver because its population is over 50,000.

Property Specific Determination Information

Former Tombarello Site

207 Marston Street, Lot 2, Lawrence, Massachusetts

MassDEP Release Tracking Number (RTN) 3-0018126

Information in Support of a Property-Specific Determination

Former Tombarello Site

207 Marston Street, Lot 2, Lawrence, Massachusetts

MassDEP Release Tracking Number (RTN) 3-0018126

1. Basic site identification information and eligible entity identification information.

The site is Lot 2 of the Former Tombarello Property located at 207 Marston Street, Lawrence, Massachusetts (the Site). Lot 2 is an 11.4-acre parcel in a mixed-use area of Lawrence, abutted to the east by Interstate 495; to the south by an automobile dealership; to the west by Marston Street, beyond which lies the Parthum Elementary and Middle School; and to the north by residential properties. The Merrimack River lies about 400 feet to the east on the other side of I-495.

The Site is a Massachusetts Department of Environmental Protection (MassDEP)-listed disposal Site (RTN 3-0018126) under the Massachusetts Contingency Plan (MCP; 310 CMR 40.0000) due to the presence of several contaminants, primarily polychlorinated biphenyls (PCBs), polycyclic aromatic hydrocarbons (PAHs), and metals, in soil. The Site is also subject to the federal Toxic Substance Control Act (TSCA; 40 CFR 761) due to PCBs at concentrations greater than 50 parts per million (ppm) in the soil.

The Site is owned by the City of Lawrence, which acquired the Site in May 2016 through tax foreclosure.

2. The specific circumstance that requires the grant recipient to request a property-specific determination.

The Site requires a Property-Specific Determination because there has been a release of PCBs to Site soil and the property is subject to TSCA remediation.

3. A short explanation of why the site falls within the identified circumstance requiring the property -specific determination.

PCBs are present in Site soil at concentrations greater than 50 ppm and as high as 7,000 ppm. PCBs at concentrations greater than or equal to 50 ppm are subject to TSCA remediation in accordance with 40 CFR 761.61. The City has been actively coordinating with the U.S. Environmental Protection Agency (EPA) Region I PCB Coordinator regarding its assessment activities and plans for cleanup. The cleanup plan developed for the Site will required EPA approval under TSCA.

4. An explanation of how providing brownfields funding for the site will meet the criteria necessary for making a property-specific determination.

4.1. **How financial assistance for brownfields cleanup activities will ensure the protection of human health and the environment.**

PCBs are present in Site soil at concentrations above MCP Method 1 risk assessment standards for residential use (MCP Method 1 S-1 Standards) and at concentrations representing and Imminent Hazard as defined by the MCP. As required under the MCP to address the Imminent Hazard

condition, access to contaminated soil at the Site is limited by a chain link fence. In addition, PCB concentrations in Site soil are above concentrations specified under the TSCA regulations as suitable for unrestricted use.

The City has been working with MassDEP and EPA to develop cleanup objectives and a remedial framework for the Site that will be protective of future Site receptors while optimizing soil management and disposal costs for both the City and a future developer.

The City's ultimate objective is to clean up the Site to achieve a level of contamination in Site soil that will present No Significant Risk (NSR) to Site receptors as defined by the Massachusetts Contingency Plan (MCP; 310 CMR 40.0000). The final cleanup plan will include the construction of a cap and implementation of an Activity and Use Limitation (AUL) that will restrict future residential and agricultural uses and allow future use for light manufacturing and other similar uses.

Financial assistance for brownfields cleanup activities will allow the City to remove from the Site the most heavily contaminated soil (soil with PCB concentrations ≥100 ppm). Removal of the most heavily contaminated soil will make the Site more attractive to a developer, who would then regrade and cap the Site to eliminate the exposure pathway to remaining PCBs in soil.

4.2. How financial assistance for brownfields cleanup activities will Promote Economic Development

The Tombarello Site is located within Opportunity Zone 25009250800 and is on prime development property near I495, with 500+ feet of visible highway frontage. It has tremendous redevelopment potential and being in an opportunity zone incentivizes development. Developers have inquired about the Site, but contamination is a barrier to positive reuse. Financial assistance from the brownfields cleanup grant, will assist with removal of the most highly contaminated soil (PCBs ≥ 100 ppm) and provide a developer with known conditions and a pathway to final cleanup/closure approved by regulatory agencies. The developer would perform the final remedy (regrading of the berm, on-site soil consolidation and capping). Comparing active-use sites nearby, the City estimates $260,000/year in tax revenue opportunity from the site redevelopment. Improving economic competitiveness of this Site will bring in services that provide residents with healthy, affordable and cultural options and will contribute to employment opportunities and health.

5. The degree to which other funding is or is not available for the assessment or cleanup of the site.

The City has applied to Mass Development for a $250,000 FY20 Brownfields Redevelopment Grant. However, cleanup of PCBs ≥100 ppm will be greater than $1 million.

6. An explanation of whether or not the applicant/recipient is responsible for the contamination at a site.

The City of Lawrence acquired the Site in May 2016 through tax foreclosure and has not conducted activities at the Site that have contributed to Site contamination and is therefore not responsible for contamination at the Site.

Documentation Match Commitment

Letter from Lawrence Mayor

Former Tombarello Site

207 Marston Street, Lot 2, Lawrence, Massachusetts

MassDEP Release Tracking Number (RTN) 3-0018126

CITY OF LAWRENCE
OFFICE OF THE MAYOR

City Hall • 200 Common Street • Lawrence, MA 01840
Tel: (978) 620-3010 • www.cityoflawrence.com

DANIEL RIVERA
Mayor & CEO

December 2, 2019

Frank Gardner
US EPA Region 1
5 Post Office Square
Suite 100, Mail code: OSRR7-2
Boston, MA 02109-3912

Subject: Committed Leveraged Resources, Brownfield Cleanup Grant Proposal, Lawrence, MA

Dear Mr. Gardner:

I am pleased to submit this application from Lawrence, MA for a FY20 EPA Brownfield Cleanup Grant for the Tombarello Lot 2 property. This is the final funding needed to cleanup this large unproductive parcel and support redevelopment and neighborhood revitalization. Cleanup will allow neighborhood residents and the City to reap the public health, environmental and economic benefits of its revitalization.

The City of Lawrence Planning Department has an experienced team and committed partners to successfully implement this project, so that our goals for this property can be realized. The City commits to the 20% funding match: $100,000.00 from the City's General Funds. The project will also benefit from $100,000 from the City DPW funds to provide intersection improvements and traffic calming measures to streets adjacent to the property and $250,000 from a MassDevelopment grant for cleanup activities. The Merrimack Valley Planning Commission commits leveraging $200,000 through the Revolving Loan Fund to further support the reuse of the property. Documentation of these committed leveraged resources follow this letter.

The redevelopment of the Tombarello property has been a priority property of my administration and has had the support of the Mass DEP. We look forward to this funding to support the cleanup of the 14-acre Tombarello property and remain optimistic that it's redevelopment will offer economic, health and environmental benefits to our City.

Thank you for your consideration of our proposal.

Sincerely,

Daniel Rivera

Community Notification Documents

Newspaper Ad

Neighborhood Flyer

Sign-in Sheet

Meeting Notes: Question and Answers

Former Tombarello Site

207 Marston Street, Lot 2, Lawrence, Massachusetts

MassDEP Release Tracking Number (RTN) 3-0018126

The Granite House Sober Living LLC intends to file an application for a residential treatment and rehabilitation facility license that will provide treatment to adults with substance use disorder.
ET - 11/18, 11/19/19

TOWN OF NORTH ANDOVER
NOTICE OF PUBLIC HEARING
PROPERTY CLASSIFICATION

In accordance with Chapter 40, Section 56, and other applicable provisions of the Massachusetts General Laws, notice is hereby given that the Board of Selectmen have scheduled a Public Hearing for Monday, November 25, 2019, at 7:00 p.m. in the Meeting Room at Town Hall, 120 Main Street, North Andover, MA for the purpose of obtaining oral/written comments from citizens regarding classification and taxation of property according to use. Any citizen having questions regarding this public hearing should contact the office of the Town Manager at 978-688-9510.

Richard Vaillancourt
Board of Selectmen

ET - 11/18/19

CITY OF LAWRENCE
NOTICE OF PUBLIC MEETING

The City of Lawrence, MA will be conducting a Public Meeting on Wednesday, 20 November 2019 at 6pm to gather commentaries and information on the draft Brownfields Clean-up Grant application and draft Analysis of Brownfields Clean-up Alternatives (ABCA) to be submitted to the federal U.S. Environmental Protection Agency for the Tombarello Site at 207 Marston Street, located in the City of Lawrence and owned by the City.

The meeting will be held at the Redeemer Lutheran Church, 163 East Haverhill Street, at the corner of Howard Street in Lawrence. The draft grant application and ABCA will be available for public review and comment at the City of Lawrence Office of Planning & Development, located at 12 Methuen Street, Lawrence, MA from Monday, 28 November 2016 through Friday, 2 December 2016 from 9am to 4pm. Please contact Mrs. Esther Encarnacion (978) 620-3517 or EEncarnacion@cityoflawrence.com to receive an electronic copy or to submit form comments on the draft documents.
ET - 11/18/19

CITY OF LAWRENCE NOTICE OF PUBLIC MEETING THE CITY OF

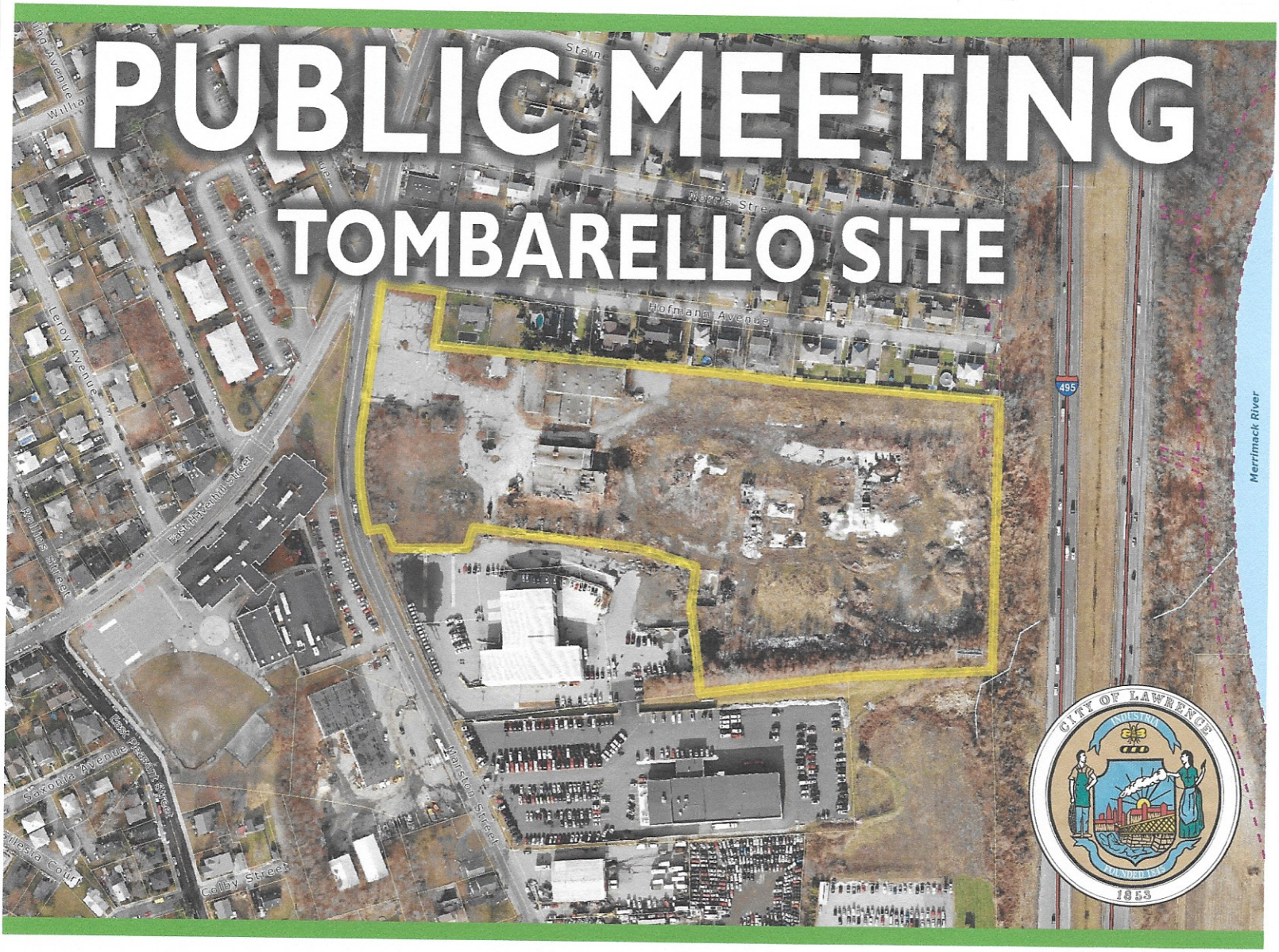
CITY OF LAWRENCE NOTICE OF PUBLIC MEETING The City of Lawrence, MA will be conducting a Public Meeting on Wednesday, 20 November 2019 at 6pm to gather commentaries and information on the draft Brownfields Clean-up Grant application and draft Analysis of Brownfields Clean-up Alternatives (ABCA) to be submitted to the federal U.S. Environmental Protection Agency for the Tombarello Site at 207 Marston Street, located in the City of Lawrence and owned by the City. The meeting will be held at the Redeemer Lutheran Church, 163 East Haverhill Street, at the corner of Howard Street in Lawrence. The draft grant application and ABCA will be available for public review and comment at the City of Lawrence Office of Planning & Development, located at 12 Methuen Street, Lawrence, MA from Monday, 28 November 2016 through Friday, 2 December 2016 from 9am to 4pm. Please contact Mrs. Esther Encarnacion (978) 620-3517 or EEncarnacion@ cityoflawrence.com to receive an electronic copy or to submit form comments on the draft documents. ET - 11/18/19

Appeared in: ***Eagle-Tribune*** on Monday, 11/18/2019

Back

PUBLIC MEETING

TOMBARELLO SITE



Mayor Daniel Rivera invites you to participate in a meeting about the planning process for the Tombarello Site. Participants will learn about recent assessment investigations, cleanup alternatives, and re-use planning for this contaminated metal recycling facility.

6:00 PM, November 20, 2019

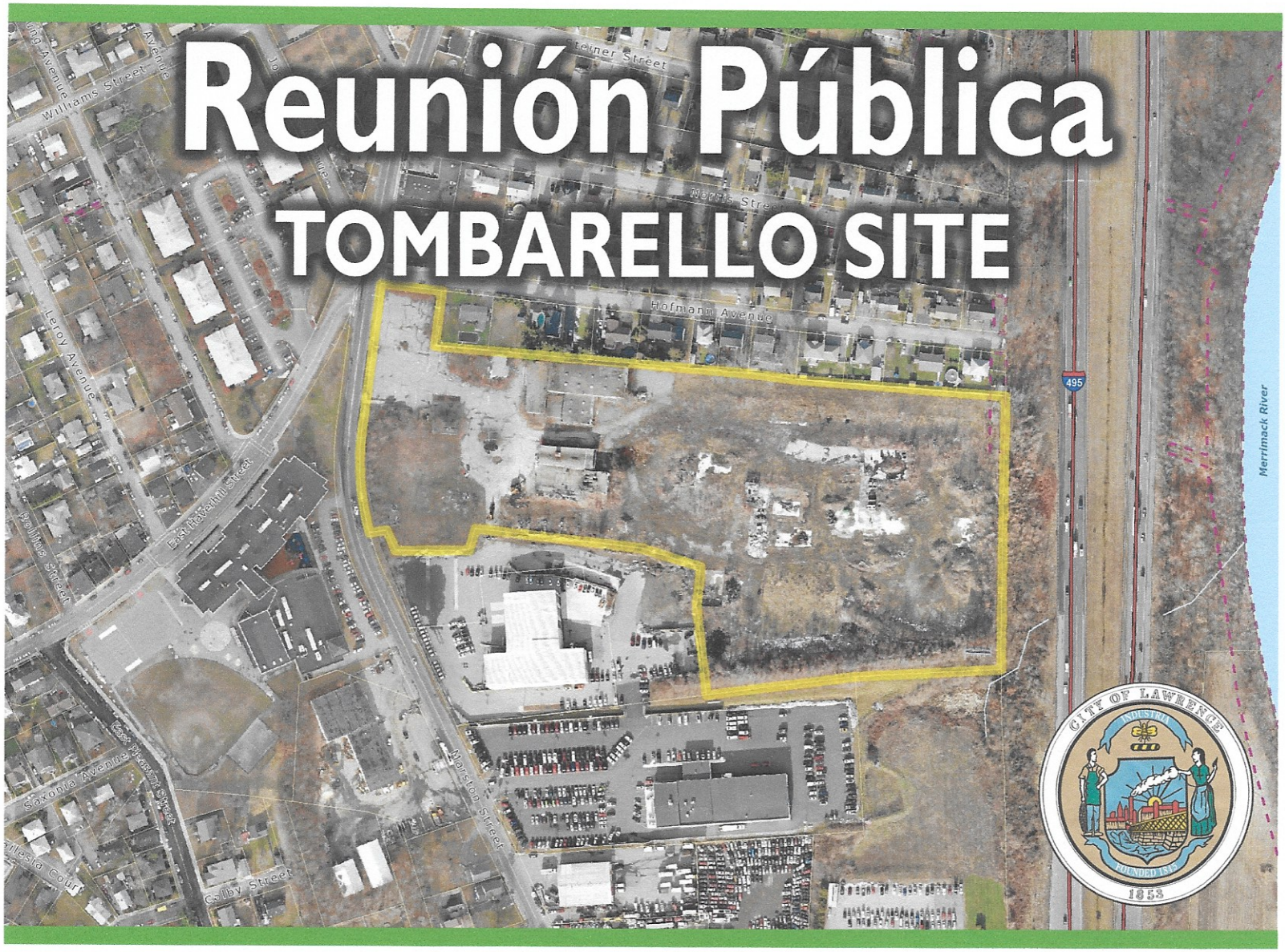
Redeemer Lutheran Church
163 East Haverhill Street

For more information contact:

Esther Encarnacion
eencarnacion@cityoflawrence.com

Reunión Pública

TOMBARELLO SITE



El Alcalde Daniel Rivera te invita participar en una reunión para planifi car el sitio de Tombarello. Participantes aprenderán de investigaciónes recientes, limpiezasa alternativas, y planifi caciónes para usar este lugar contaminado, donde se reciclaba el metal.

6:00 PM, 20 de Noviembre, 2019

Redeemer Lutheran Church
163 East Haverhill Street

Para mas informacion contacte:

Esther Encarnacion
eencarnacion@cityoflawrence.com

Tombarello Site Cleanup

11/20/2019 Sign - in

Name	Phone	Address	Email
Marina Acosta	978.397.8264	Senator Barry Finegold off.	marinacosta16@hotmail.com
Esther Encarnacion	978-590-3760	city of Lawrence	
Maria De Jesus	303-7243	mariadjc@yahoo.com	26 Summit AV
Shamus O'Brien	(617) 888-2616	144 Ferry St	bostonsmc@yahoo.com
Joe Nordwick	(603) 986 2698	144 Ferry Street	
Cecilia Perez	978-423-5643	31 Hoffman Ave	Rev(Perez@Hotmail.com
Miguel Peralta	978-421-4076	75 SALEM ST	
William [illegible]	9787054910	8 Rolling ST	
Laura Chase	978 688 2490	214 Howard St	Lkchase214@gmail.com
Benaida Rosario	978-885-1538	19 Katherine St	
JOE BEAULIEU	978 815-1672	33 HOFFMAN AVE	JOEBEAULIEU@COMCAST.NET
ALFRED BEAULIEU	978 682-7179	51 HOFFMAN AVE	
Ramon Vasquez	978-601-2125	66 Berkeley st	

ROBERT O'KONIEWSKI	978-239-1053	3 SUMNER AVE.	BOBOKESQ@GMAIL.COM
DAN RIVERA	9786203110	17 [illegible] Rd.	
Viliana Martinez Dominguez	978 6164419	71 E Pleasant St	.
Marco [illegible]	917-688-6210		
Steven Murphy	978-857-4838	53 Kendall St.	deaconsteviej@aol.com
Linda Murphy	978-857-9738	53 Kendall St	
Desiree MATOS	978-590-2640	290 HIGH St.	MATOSdesiree1@Gmail.com
Franklin Miguel	978-701-4400	12 Ridge Rd	franklinm172@Gmail.com
BRAD BUSCHUR	617-874-6498	50 Island St	bbuschur@gmail.com
Luis Martinez	978 314 6083	71 E. Pleasant St.	lmartinez1071@gmail.com
ADA Levy	978-566-0325	City of Lawrence	alevy@cityoflawrence.com
Brian A. DePeña	978-423-7834	City of Lawrence	Tenaxe fire@Yahoo.Com

Office of Planning & Development

Daniel Rivera
Mayor

Theresa Park
Planning Director

LAWRENCE MASSACHUSETTS

Ileen Gadstone
GEI Lead Environmental Consultant

Leslie Lombardo
GEI Project Manager

Tombarello Public Meeting

November 20th, 2019
Minutes to the Meeting
In Attendance:

Daniel Rivera, Mayor City of Lawrence
Ana Levy, Councilor at Large
Brian A. De Peña, Councilor at Large
Maria De La Cruz – City Councilor (District A)
Theresa Park—Office of Planning and Development Director
Vilma Martinez-Dominguez – Community Development Director
Christine Lombard-- US EPA - Region 1-Brownfields Project Officer
Ileen Gadstone – Lead Environmental Consultant, GEI Consultants Inc.
Leslie Lombardo—Project Manager, GEI Consultants Inc
Brad Bushur—GroundWork Lawrence Project Director
Esther Encarnacion—Business and Economic Development Project Officer

Also Present:

There were 18 residents and members of the community present.

Introductory Statement

Mayor Dan Rivera

Mayor Rivera completed welcoming statements and discussed the three goals of the redevelopment of the Tombarello site which were:

- to create jobs for the city,
- have a positive impact on the surrounding neighborhood and
- to commit to a project that uplifts Lawrence as a whole.

He stated that this will be accomplished through seeking State and Federal funding to assist with clean-up. The purpose of this meeting is to provide insight to the clean-up process, the function of GEI and taking the first steps to, in the future, open up the space for redevelopment.

GEI Consultants, Inc. Presentation:

Ileen Gadstone – Lead Environmental Consultant, GEI Consultants Inc.

I. Gladstone – Gave a background on the Tombarello site thus far. For the past two years, work has been done to understand the contamination at Tombarello to better approach the project with the goal of redeveloping the space. The location has subsequently been properly divided into two: Lot 1 (L1) and Lot 2 (L2), to allow for greater opportunities of grant funding becoming accessible

-Contaminated Site History

- 1998 it was identified that the site was contaminated
- 2016 land was acquired by the city
- Site fenced to prevent further exposure
- Regulated by both MassDEP and EPA

PCB's and Metals (Lead) were found in the soil. Superficial and deep testing has been done and metals have not been found in the groundwater. Testing has further shown that L1 was significantly less contaminated than L2. Due to this finding, L1 has been cleared for clean-up and the plan is to move forward to have it completed for spring 2020. A green area has also been designated as a Green area for use by the neighborhood to possibly construct a playground/ park space.

Mayor Dan Rivera asked the size of this specific space and it was clarified 10,000 square feet would be available as a community space.

The rest of Lot 1 will be cleaned and combined with Lot 2's clean-up, being the most heavily contaminated area of the Tombarello site. Ms. Gladstone gave background information on the work the EPA has already done to protect the surrounding homes with removal of contaminated soil and the placement of a protective fence to prevent further contamination.

A conversation proceeded as questions arose from the residents and representatives present:

Resident Feedback:

1. A Hoffman Street resident asked about the potential for re-contamination of their properties, noting that their back yards had been previously cleaned up by EPA. Ms. Gladstone explained that the type of contamination at the Site does not readily migrate and therefore re-contamination of the residential properties is not likely. Contamination is limited to the soil, and not the groundwater. A fence at the property boundary restricts access to the soil. Ms. Gladstone also explained that during construction of the remedy when soil is being excavated and handled, several dust mitigation measures would be implemented to eliminate the potential for offsite migration of contaminants in dust.

2. One resident stated that he was told that buildings could never be constructed on the property due to the level of contamination. Ms. Gladstone explained that a standard means of cleaning up the type of contamination at this Site is through the construction of buildings and pavement over the contaminated soil as a cap to prevent access to contaminated soil. Ms. Gladstone later presented some examples of Brownfields sites, one with similar contamination which had been developed with buildings.

3. Regarding development of the northwest portion of Lot 1 as a neighborhood playground, one question was asked about if it would be safe for children to play there every day given the contamination. Ms. Gladstone explained that the soil would be cleaned up in that area for unrestricted use prior to development as a park. Therefore, there would be no risk for children playing there every day.

Ms. Gladstone returned to the presentation and discussed the different phases of the clean-up process. She stated the worst of the soil would be taken off site as part of Phase 1. Phase 2 would consist more of the City of Lawrence working with a developer to complete the clean-up and regrade the site, consolidate the contaminated soil to one area, likely build a lot over it and possibly build close by, to then CAP the site.

Ms. Gladstone discussed the different recourses explored for Tombarello and the range of cost for cleaning the space for different uses. The City of Lawrence will be applying for grants to the EPA to complete the safest clean-up and stay within the regulatory threshold. She also spoke about the various means used to avoid spreading of contamination during Phase 1, and measures taken to monitor potential risks.

Ms. Gladstone concluded her presentation and opened the floor for any questions, introduced Theresa Park, Director of Planning and Development for the City of Lawrence, as someone who was available to answer questions, as well.

1. Several community members raised various concerns about traffic in the area, specifically concerns about added congestion if the property is developed for commercial use and safety to children crossing the street to get to the playground at northwestern corner of Lot 1. Ms. Park stated that the she would be working with the DPW to address safety issues in the area.

2. Several community members expressed a desire and a need for more parks and recreation areas in this part of Lawrence. Comments were made that the portion of Lot 1 proposed for use as a park is not big enough and that a larger portion of Lot 1 should be cleaned up for use as a park. A community member asked if more of Lot 1 could be cleaned up for use as a park using proceeds from the sale of Lot 2. Ms. Park explained that the concept of the park at the northwest corner of Lot 1 is that it would be a neighborhood park rather than a City park. Ms. Gladstone noted that the cost to clean up to standards acceptable for use as a park is prohibitive due to the cost for offsite disposal of this type of contaminated soil (polychlorinated biphenyls).

3. Several questions were asked about plans for development, timelines, and whether or not a developer had been selected already. Ms. Park explained that several developers have expressed interest however no developers are on board at this time and plans have not been made. It was explained that the cleanup of the northwest portion of Lot 1 is planned for spring 2020 and pending the City's receipt of a grant from Mass Development, a portion of Lot 2 may be cleaned up at the same time. The remainder of Lot 2 could be cleaned up potentially late Fall 2020 or Spring 2021 pending the City's receipt of the FY20 EPA Cleanup Grant.

4. One community member asked about how much control the City will have over how the property is developed once it is sold to a developer. Ms. Park explained that it will be a public bid process and that the City can specify requirements and restrictions in the bid documents. Ms. Park indicated that the timeframe for procuring a developer could be end of 2020 or Spring 2021.

5. A question was asked about the certainty around the City obtaining the grants it needs to conduct the cleanup. Ms. Gladstone clarified that the City already has a cleanup grant in hand for Lot 1. The City is hopeful that it will receive the MassDevelopment and EPA Brownfields cleanup grants for Lot 2. Ms. Lombardo of EPA noted that EPA has already invested over $2 million in cleanup on Lot 2. Ms. Lombard further explained the grant process.

6. Councilor Maria de La Cruz announced that neighborhood meetings are held the last Monday of every month and that Ms. Park is invited to attend the meetings at any time.

EPA Representative—
Christine Lombard
Brownfields Project Officer

The City of Lawrence should be applying for a $500,000 grant, which is max statutory on a parcel, which is the most that can be granted. Grant writing, community meetings, and coming down to getting the information so we do not have a "blackhole" site. There is a chance, however, the money is not available depending on the fact it's a competitive process. Merrimack Valley Planning Commission is a partner who has identified the need at Tombarello, have invested money in and have also assisted the City of Lawrence with this endeavor. The difference of the money may come once more partners come on board.

DRAFT Analysis of Brownfields Cleanup Alternatives

Preliminary Evaluation Former Tombarello Site

207 Marston Street, Lot 2, Lawrence, Massachusetts

MassDEP Release Tracking Number (RTN) 3-0018126

DRAFT Analysis of Brownfields Cleanup Alternatives – Preliminary Evaluation Former Tombarello Site 207 Marston Street, Lot 2, Lawrence, Massachusetts MassDEP Release Tracking Number (RTN) 3-0018126

1. Introduction & Background

1.1. Site Location and Description

The focus of this Analysis of Brownfields Cleanup Alternatives (ABCA) is Lot 2 of the Former Tombarello Property located at 207 Marston Street, Lawrence, Massachusetts (the Site). Lot 2 is an 11.4-acre parcel in a mixed-use area of Lawrence, abutted to the east by Interstate 495; to the south by an automobile dealership; to the west by Marston Street, beyond which lies the Parthum Elementary and Middle School; and to the north by residential properties. The Merrimack River lies about 400 feet to the east.

Due to current contaminant conditions in Site soil, the Site is fenced and gated to restrict access and eliminate the potential for exposure to Site contaminants. The Site cannot be used for residential or commercial purposes in its current condition. The Site is developed with structures formerly associated with the historical use as a metal recycling facility, including a metal shop/garage and furnace building. The concrete foundations of other structures, including a baler/press area, small shear, and large shear building are present. Other Site features include a 10 to 20-foot-high soil berm located along the eastern and southeastern Site boundaries and soil and debris piles.

The Site is a Massachusetts Department of Environmental Protection (MassDEP)-listed disposal Site (RTN 3-0018126) under the Massachusetts Contingency Plan (MCP; 310 CMR 40.0000) due to the presence of several contaminants, primarily polychlorinated biphenyls (PCBs), polycyclic aromatic hydrocarbons (PAHs), and metals, in soil. The Site is also subject to the federal Toxic Substance Control Act (TSCA) (40 CFR 761) due to PCBs greater than 50 parts per million (ppm) in the soil.

1.1.1. Forecasted Climate Conditions

The preferred remedial alternative for cleanup of the Site includes excavation and offsite disposal of the most heavily contaminated areas of the Site; onsite consolidation and capping with asphalt pavement of additional contaminated soil; and capping with a combination of buildings, pavement, and clean soil on the remainder of the Site.

The Site is not located within the 100- -year floodplain. An approximately 0.02-acre (870 square foot) portion at the southeast corner of the Site is located within the 500-year floodplain. The Site is not located in an area that is vulnerable to sea level rise or coastal storm surge. However, weather projections for Massachusetts include above average winter and spring precipitation as a result of global warming. The preferred remedial alternative, which includes capping of the entire Site, will be designed to allow for proper drainage and storm water management.

1.2. Previous Site Use(s)

The Site is currently owned by the City of Lawrence, which acquired the Site in May 2016 through foreclosure of tax title. Since 2001, the Site has been vacant, with the exception of a truck driving school, which operated for a short time in 2006. A metals recycling facility (John C. Tombarello & Sons

followed by American Recycling of Massachusetts, Inc.), operated at the Site from about 1941 through 2001.

1.3. Previous Cleanup Activities

Two removal actions have been conducted. In 2011, the Site owner at the time, First Lawrence Financial, LLC conducted a limited cleanup as required by an Order issued by U.S. Environmental Protection Agency (EPA). The cleanup was excavation of about 1,100 cubic yards of contaminated soil along the northern Site boundary and placement of the excavated soil in an on-site soil consolidation area. In 2018, the EPA Emergency and Rapid Response Services section conducted a targeted removal action that included the excavation and offsite disposal of about 660 tons of some of the most heavily PCB contaminated soil.

1.4. Site Assessments and Findings

Several investigations that included soil and groundwater sampling were conducted between 1998 and 2019. The most significant investigations were a Massachusetts Contingency Plan (MCP; 310 CMR 40.0000) Phase II Comprehensive Site Assessment (CSA) in 2003-2004; an EPA Preliminary Assessment/Site Investigation (PA/SI) in 2010; an EPA Targeted Brownfields Assessment (TBA) in 2016; and additional assessments conducted by the City of Lawrence under an EPA Brownfields Assessment Grant in 2019. During these investigations, over 850 soil samples and 13 groundwater samples were collected for laboratory analysis. Below is a summary of findings of contaminant conditions in Site soil and groundwater based on these investigations.

Soil: Soil samples were analyzed for one or more of the following: polychlorinated biphenyls (PCBs), extractable petroleum hydrocarbons (EPH) plus target polycyclic aromatic hydrocarbons (PAHs), volatile organic compounds (VOCs), and metals. PCBs, EPH, PAHs, and several metals are present in Site soil at concentrations above their respective MCP Method 1 risk assessment standards for residential use (MCP Method 1 S-1 Standards). VOCs are not a contaminant of concern.

PCBs are present in both surface and subsurface soil throughout the Site, although PCB concentrations generally decrease with depth at a given location. PCBs were detected in almost all of the soil samples collected from the upper one foot with the highest PCB concentration of 7,000 mg/kg. PCBs have also been detected at concentrations up to 890 mg/kg in the soil berm at the southern and eastern Site boundaries. Distinct locations have been identified in both surface/subsurface soil and in the soil berm where PCB concentrations are greater than 50 mg/kg and locations where PCBs are greater than 100 mg/kg.

PAHs and metals are present in soil throughout the Site at concentrations above applicable MCP Method 1 S-1 Standards. PAHs are likely associated with shallow fill. Elevated concentrations of EPH fractions are limited and likely associated with petroleum releases in those areas; however, EPH contamination is commingled with and indistinguishable from PCB contamination in the same areas. The heavy metal most frequently detected over its Method 1 S-1 Standard is lead, with a maximum detected concentration of about 10,000 mg/kg. Although PAH and metals concentrations are elevated, PCBs remain the driver for soil cleanup.

Groundwater: Shallow groundwater contamination consists of very low levels (below MCP Method 1 GW-2 and GW-3 Standards) of some VOCs, metals, and PAHs. Historical operations have not had a significant impact on groundwater and contaminant conditions in groundwater are not a driver for remediation.

1.5. Project Goal

The goal of the project is to remediate the Site to position it for redevelopment for productive future use. The EPA Brownfields Grant funds in combination with other funds being sought by the City are expected to cover the costs of remedy implementation through removal and offsite disposal of the most highly contaminated soil (PCBs greater than or equal to 100 ppm). The Site would be well positioned for redevelopment by providing a developer with known Site conditions and a pathway to regulatory closure approved by regulators that would be implemented by a developer. The developer would incorporate into its development plans soil consolidation and soil containment measures (a combination of capping through buildings, pavement, and clean soil cover) required for completion of the final remedy.

The cleanup and reuse of the Site will generate welfare, environmental, and public health benefits. The planned reuse of the Site is to attract one or more commercial and/or light industrial entities into the space, creating jobs for Lawrence residents and providing services easily accessible to Lawrence residents.

2. Applicable Regulations and Cleanup Standards

2.1. Cleanup Oversight Responsibility

Massachusetts has a privatized licensure program where individuals, known as Licensed Site Professionals (LSPs), have been delegated authority by the MassDEP to ensure the proper assessment and cleanup of listed disposal sites. Under this program, the LSP serves as an extension of the State's environmental regulatory authority and is required to hold paramount the protection of human health, safety, public welfare and the environment. The Massachusetts regulations (the MCP) contain several provisions for notifying the chief municipal officer and local health officials of site assessment and cleanup activities including providing written notification in advance of cleanup activities, and written notification of any imminent threats to human health that may exist at a disposal site.

The cleanup will be performed by the City of Lawrence, Massachusetts. The City will retain a Qualified Environmental Professional (QEP) with experienced LSPs to design, oversee, and document remediation activities at the Site as required by MassDEP under the MCP. In addition, all documents prepared for this Site are submitted to the MassDEP through its on-line reportable release file viewer under RTN 30018126. These documents are available to the public through MassDEP's website.

The Site is also subject to TSCA. The cleanup approach to excavate and dispose off-site of the highly contaminated soil (PCBs greater than or equal to 100 ppm) followed by soil consolidation and soil containment measures (a combination of capping through buildings, pavement, and clean soil cover) has been agreed to in principal by the EPA Region 1 TSCA Coordinator. Ultimately a Risk Based Cleanup Plan (40 CFR 761.61(c) will be submitted to EPA for approval.

2.2. Cleanup Standards

The cleanup standards for the Site are based on a combination of risk-based cleanup standards in accordance with State regulations (the MCP) and risk-based cleanup standards for PCBs anticipated to be approved by the EPA under the TSCA (40 CFR 761) regulations.

2.3. Laws and Regulations

Laws and regulations that are applicable to this cleanup include the Massachusetts Contingency Plan (MCP; 310 CMR 40.0000); the Toxic Substances Control Act (TSCA; 40 CFR 761) regulations; the

Federal Construction General Permit; the Federal Small Business Liability Relief and Brownfields Revitalization Act; the Federal Davis-Bacon Act; and City of Lawrence by-laws. Federal, state, and local laws regarding procurement of contractors to conduct the cleanup will be followed. In addition, all appropriate permits *(e.g.,* notify before you dig, soil transport/disposal manifests) will be obtained prior to the work commencing.

3. Evaluation of Cleanup Alternatives

3.1. Cleanup Up Alternatives Considered

Three cleanup alternatives were considered to address Site contamination. The cleanup alternatives considered include cleanup activities required through final Site closure under State and Federal regulations.

Alternative #1: No Action

Alternative #2: Off-Site Disposal of Soils with PCBs ≥50 mg/kg; TSCA-Compliant Cap across the Site; Institutional Controls. All soils with PCBs at concentrations greater than or equal to 50 mg/kg would be excavated and disposed offsite at a chemical waste landfill or TSCA-permitted PCB disposal facility.

The TSCA-compliant cap would consist of a combination of clean soil cover, buildings, and asphalt pavement. A permeable geotextile would be placed over the contaminated soil prior to construction of the cap to provide separation between the contaminated soils and the cap and to provide a warning layer for future excavation.

Because contaminated soil would be left beneath the cap, institutional controls (a deed restriction in the form of an Activity and Use Limitation [AUL]) would be implemented to ensure the long-term integrity of the cap and to prevent exposure to contaminants left in place. Restrictions would include limits on future residential use of the property. Future excavations would be required to be conducted under the oversight of an LSP and would require preparation and implementation of Health and Safety and Soil Management Plans. The Site owner would be obligated to inspect the cap on a periodic basis and maintain the cover surfaces in perpetuity to ensure there is no damage that could potentially expose Site occupants to the contaminants in soil beneath the cover.

Alternative #3: Excavation and Offsite Disposal of Soils with PCBs ≥100 mg/kg; On-Site Consolidation and Capping of Soils with PCBs ≥50 mg/kg and <100 mg/kg; TSCA-Compliant Cap Across the Remainder of the Site; Institutional Controls.

All soils with PCBs greater than 100 mg/kg would be excavated and disposed offsite at a chemical waste landfill or TSCA PCB disposal facility. All soils with PCBs greater or equal than 50 mg/kg and less than 100 mg/kg would be placed into an onsite consolidation area and capped with asphalt pavement for future use as a parking lot to support an adjacent business.

The remainder of the Site would be covered with a TSCA-compliant cap consisting of a combination of clean soil, buildings, and asphalt pavement. A permeable geotextile would be placed over the contaminated soil prior to construction of the cap to provide separation between the contaminated soils and the cap and to provide a warning layer for future excavation.

Similar to Alternative #2, because contaminated soil would be left beneath the cap, institutional controls (an AUL) would be implemented to ensure the long-term integrity of the cap and to prevent exposure to contaminants left in place. Restrictions would include limits on future residential use of the property.

Future excavations would be required to be conducted under the oversight of an LSP and would require preparation and implementation of Health and Safety and Soil Management Plans. The Site owner would be obligated to inspect the cap on a periodic basis and maintain the cover surfaces in perpetuity to ensure there is no damage that could potentially expose Site occupants to the contaminants in soil beneath the cover.

3.2. Evaluation of Cleanup Up Alternatives

To satisfy EPA requirements, the effectiveness, implementability, and cost of each alternative must be considered prior to selecting a recommended cleanup alternative.

Effectiveness – Including Climate Change Considerations

- Alternative #1: No Action.

  Under the No Action alternative, the Site would remain vacant, fenced, and gated to restrict access. The Site could not be used for residential, commercial, or industrial purposes in its current condition. The No Action alternative, although somewhat effective at controlling or preventing a receptor's exposure to Site contamination by restricting access, without a cap, Site contaminants could become airborne in fugitive dust. In addition, based on predicted future higher than average winter and spring precipitation, without a cap, contaminants in surface soil could erode and become mobile in stormwater runoff.

- Alternative #2: Off-Site Disposal of Soils with PCB≥50 mg/kg; TSCA-Compliant Cap; Institutional Controls.

  Excavation and offsite disposal of soils with PCBs ≥50 mg/kg is an effective way to reduce risk, since highly contaminated soil will be removed. Capping of remaining contaminated soil is an effective way to prevent receptors from coming into direct contact with contaminated soils beneath the cap. Institutional controls (AUL) would be placed on the property to ensure the long-term effectiveness of the cap to require measures be implemented (SMP and HASP) to mitigate the potential for exposure to Site contaminants during future excavations.

- Alternative #3: Excavation and Offsite Disposal of Soils with PCBs ≥100 mg/kg; On-Site Consolidation and Capping of Soils with PCBs ≥50 mg/kg and <100 mg/kg; TSCA-Compliant Cap Across the Remainder of the Site; Institutional Controls.

  Similar to Alternative #2, excavation and offsite disposal of soils with PCBs ≥100 mg/kg is an effective way to reduce risk, since areas of highest contamination will be removed. Capping of remaining contaminated soil is an effective way to prevent receptors from coming into direct contact with contaminated soils beneath the cap. Institutional controls (AUL) would be placed on the property to ensure the long-term effectiveness of the cap to require measures be implemented (SMP and HASP) to mitigate the potential for exposure to Site contaminants during future excavations.

  The TSCA-compliant cap required under both Alternatives 2 and 3 would be designed to allow for proper drainage and stormwater runoff that may result from predicted increased precipitation events in the Northeast.

Implementability

- Alternative #1: No Action is easy to implement since no actions will be conducted.

- Alternative #2: Off-Site Disposal of Soils with PCB≥50 mg/kg; TSCA-Compliant Cap; Institutional Controls is moderately difficult to implement.

  This alternative requires the greatest volume of soils to be excavated (about 5,500 cubic yards), will take the longest to implement, and will have the greatest impact on the community. Impacts to the local community will include trucking of contaminated soils and backfill throughout the duration of the project. Engineering controls (e.g. misting with water) to minimize dust generation during excavation and soil handling will be required along with continuous perimeter dust monitoring. Capping is relatively easy to implement, although ongoing monitoring, maintenance, and reporting will be required.

- Alternative #3: Excavation and Offsite Disposal of Soils with PCBs ≥100 mg/kg; On-Site Consolidation and Capping of Soils with PCBs ≥50 mg/kg and <100 mg/kg; TSCA-Compliant Cap Across the Remainder of the Site; Institutional Controls is moderately difficult to implement.

  This alternative requires excavation and offsite disposal of less than 1/3 the volume required under Alternative #2 (1,500 cubic yards). Therefore, this alternative will take less time to implement and will have a lesser impact on the community from offsite trucking. Engineering controls (e.g. misting with water) to minimize dust generation during excavation and soil handling will be required along with continuous perimeter dust monitoring. Capping is relatively easy to implement, although ongoing monitoring, maintenance, and reporting will be required.

Cost

The cleanup alternatives considered include a combination of soil removal and offsite disposal and capping of remaining contaminated Site soils. The City's objective under this Cleanup Grant is to perform the soil removal and offsite disposal, leaving a Site positioned for redevelopment that will include plans for final capping required for closure. Consolidation and capping costs are entirely dependent on specific development plans (i.e., building, pavement, and landscaped area footprints) and will be borne by the developer. Therefore, the below costs reflect only costs associated with the excavation and offsite disposal of soil that would be conducted under the EPA Brownfields Cleanup Grant.

- Alternative #1: No Action – There are no costs associated with this alternative.
- Alternative #2: Off-Site Disposal of Soils with PCB≥50 mg/kg; TSCA-Compliant Cap; Institutional Controls: $3,900,000.
- Alternative #3: Excavation and Offsite Disposal of Soils with PCBs ≥100 mg/kg; On-Site Consolidation and Capping of Soils with PCBs ≥50 mg/kg and <100 mg/kg; TSCA-Compliant Cap Across the Remainder of the Site; Institutional Controls: $1,100,000.

3.3. Recommended Cleanup Up Alternative

The recommended cleanup alternative is Alternative #3: Excavation and Offsite Disposal of Soils with PCBs ≥100 mg/kg; On-Site Consolidation and Capping of Soils with PCBs ≥50 mg/kg and <100 mg/kg; TSCA-Compliant Cap Across the Remainder of the Site; Institutional Controls.

Due to the nature and extent of significant contamination in soil, and the high cost per cubic yard to dispose offsite of TSCA-regulated PCB contaminated soil, excavation and off-site disposal of soil to achieve contaminant levels suitable for unrestricted use is cost prohibitive. However, excavation and offsite disposal of soil with the heaviest levels of PCB contamination (equal to or greater than 100 mg/kg PCBs) is required to meet TSCA risk-based cleanup standards even with construction of a cap.

Therefore, to keep costs as low as possible while meeting TSCA risk-based cleanup standards for PCBs, Alternative 3 is preferred as it involves offsite disposal of soils with greater than 100 mg/kg PCBs and allows, with EPA approval under TSCA, onside consolidation and capping of soil with PCBs ≥50 mg/kg and <100 mg/kg. These soils would be limited to a specified area and capped with an asphalt pavement cover to provide parking for a nearby business. The remainder of Site soils will have PCB concentrations less than 50 mg/kg and will still require capping. However, the cap would consist of a combination of buildings, pavement, and clean soil, based on development plans, providing flexibility for a future developer. Future development, construction of buildings, excavation of soils, will require evaluation and oversight by an LSP.

The recommended remedial alternative will be compliant with state and federal regulations, protective of human health and the environment, and will facilitate redevelopment of the Site for a wide range of potential uses.

3.4. Green and Sustainable Remediation Measures for Selected Alternative

EPA Best Management Practices (BMPs) will be followed to reduce the negative impacts of excavation, which commonly include soil erosion, high rates of fuel consumption, transport of airborne contaminants, uncontrolled stormwater runoff, offsite disposal of excavated material, and ecosystem disturbance.

OMB Number: 4040-0004
Expiration Date: 12/31/2019

Application for Federal Assistance SF-424

* 1. Type of Submission:
- [ ] Preapplication
- [x] Application
- [ ] Changed/Corrected Application

* 2. Type of Application:
- [x] New
- [ ] Continuation
- [ ] Revision

* If Revision, select appropriate letter(s):

* Other (Specify):

* 3. Date Received: 12/02/2019

4. Applicant Identifier:

5a. Federal Entity Identifier:

5b. Federal Award Identifier:

State Use Only:

6. Date Received by State:

7. State Application Identifier:

8. APPLICANT INFORMATION:

* a. Legal Name: City of Lawrence, MA

* b. Employer/Taxpayer Identification Number (EIN/TIN):

* c. Organizational DUNS: 0795231710000

d. Address:

* Street1: 12 Methuen Street
Street2:
* City: Lawrence
County/Parish:
* State: MA: Massachusetts
Province:
* Country: USA: UNITED STATES
* Zip / Postal Code: 01840-1553

e. Organizational Unit:

Department Name:

Division Name:

f. Name and contact information of person to be contacted on matters involving this application:

Prefix:
* First Name: Theresa
Middle Name:
* Last Name: Park
Suffix:

Title: Director, Office of Planning and Development

Organizational Affiliation:

* Telephone Number: 978-620-3501
Fax Number:

* Email: tpark@cityoflawrence.com

Application for Federal Assistance SF-424

*** 9. Type of Applicant 1: Select Applicant Type:**

C: City or Township Government

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

* Other (specify):

*** 10. Name of Federal Agency:**

Environmental Protection Agency

11. Catalog of Federal Domestic Assistance Number:

66.818

CFDA Title:

Brownfields Assessment and Cleanup Cooperative Agreements

*** 12. Funding Opportunity Number:**

EPA-OLEM-OBLR-19-07

* Title:

FY20 GUIDELINES FOR BROWNFIELD CLEANUP GRANTS

13. Competition Identification Number:

Title:

14. Areas Affected by Project (Cities, Counties, States, etc.):

Add Attachment | Delete Attachment | View Attachment

*** 15. Descriptive Title of Applicant's Project:**

City of Lawrence, MA Tombarello Lot #2 Cleanup Project

Attach supporting documents as specified in agency instructions.

Add Attachments | Delete Attachments | View Attachments

Application for Federal Assistance SF-424

16. Congressional Districts Of:

* a. Applicant: MA-005 * b. Program/Project: MA-005

Attach an additional list of Program/Project Congressional Districts if needed.

Add Attachment | Delete Attachment | View Attachment

17. Proposed Project:

* a. Start Date: 10/01/2020 * b. End Date: 09/30/2021

18. Estimated Funding ($):

* a. Federal	500,000.00
* b. Applicant	100,000.00
* c. State	0.00
* d. Local	0.00
* e. Other	0.00
* f. Program Income	0.00
* g. TOTAL	600,000.00

*** 19. Is Application Subject to Review By State Under Executive Order 12372 Process?**

☐ a. This application was made available to the State under the Executive Order 12372 Process for review on .

☐ b. Program is subject to E.O. 12372 but has not been selected by the State for review.

☒ c. Program is not covered by E.O. 12372.

*** 20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes," provide explanation in attachment.)**

☐ Yes ☒ No

If "Yes", provide explanation and attach

Add Attachment | Delete Attachment | View Attachment

21. *By signing this application, I certify (1) to the statements contained in the list of certifications and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 218, Section 1001)**

☒ ** I AGREE

** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.

Authorized Representative:

Prefix: * First Name: Daniel

Middle Name:

* Last Name: Rivera

Suffix:

* Title: Mayor

* Telephone Number: 978-620-3013 Fax Number:

* Email: mayorrivera@cityoflawrence.com

* Signature of Authorized Representative: Catherine King * Date Signed: 12/02/2019